

Exhibit 29

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Norfolk Division
In Admiralty

-----X
In the Matter of COEYMANS :
MARINE TOWING, LLC D/B/A :
CARVER MARINE TOWING as :
Owner and Operator of M/T :
Mackenzie Rose, (IMO No. :
8968765) her cargo, engines, :
cargo, engines, boilers, :
tackle, equipment, apparel, :
and appurtenances, etc., in : Civil Action No.:
rem, ("M/T MACKENZIE ROSE"), : 2:24-cv-00490
petitioning for Exoneration :
from or Limitation of :
Liability in allision with :
Norfolk and Portsmouth Belt :
Line Railroad Company Main :
Line Railroad Bridge (the :
"Bridge") occurring June 15, :
2024 in and about the :
Elizabeth River, Virginia. :
-----X

Monday, August 11, 2025

Job No. 117090

Remote Videotaped Deposition of:

CAPTAIN SAMUEL STEPHENSON, J.D.,
called for examination, pursuant to the amended
notice of deposition, held remotely and commencing
at 10:33 a.m. when all were present on behalf of
the respective parties:

CAPTAIN SAMUEL STEPHENSON, J.D.

August 11, 2025

<div>Page 2</div> <div> <p>1 - A P P E A R A N C E S -</p> <p>2</p> <p>3 On Behalf of the Plaintiff:</p> <p>4 JAMES H. RODGERS, ESQUIRE</p> <p>5 MICHAEL ROMAN, ESQUIRE</p> <p>6 CLYDE & CO US, LLP</p> <p>7 405 Lexington Avenue</p> <p>8 New York, New York 10174</p> <p>9 (212) 702-6771</p> <p>10 james.rodgers@clydeco.us</p> <p>11</p> <p>12 On Behalf of the Defendant:</p> <p>13 JAMES L. CHAPMAN, IV, ESQUIRE</p> <p>14 CRENSHAW, WARE & MARTIN, P.L.C.</p> <p>15 150 West Main Street</p> <p>16 Suite 1500</p> <p>17 Norfolk, Virginia 23510</p> <p>18 (757) 623-3000</p> <p>19 jchapman@cwm-law.com</p> <p>20</p> <p>21 (CONTINUES ON PAGE 3)</p> <p>22</p> </div>	<div>Page 4</div> <div> <p>1 - I N D E X -</p> <p>2</p> <p>3 EXAMINATION OF CAPTAIN SAMUEL STEPHENSON PAGE</p> <p>4 by Mr. Nanavati..... 6</p> <p>5 by Mr. Chapman.....158</p> <p>6 by Mr. Rodgers.....193</p> <p>7</p> <p>8</p> <p>9</p> <p>10</p> <p>11 - MARKED EXHIBITS -</p> <p>12 PLAINTIFF'S EXHIBITS PAGE</p> <p>13 1 Expert Disclosure..... 21</p> <p>14</p> <p>15 (EXHIBIT RETAINED BY COUNSEL)</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> </div>
<div>Page 3</div> <div> <p>1 - A P P E A R A N C E S -</p> <p>2</p> <p>3 On Behalf of the Defendant:</p> <p>4 MARK C NANAVALTI, ESQUIRE</p> <p>5 SINNOT, NUCKOLS & LOGAN, P.C.</p> <p>6 13811 Village Mill Drive</p> <p>7 Midlothian, Virginia 23114</p> <p>8 804-893-3866</p> <p>9 mnnavalti@snllaw.com</p> <p>10</p> <p>11 On Behalf of the Defendant:</p> <p>12 ON BEHALF OF THE DEFENDANT:</p> <p>13 ZACHARY M. JETT, ESQUIRE</p> <p>14 BUTLER WEIHMULLER KATZ CRAIG LLP</p> <p>15 11525 N. Community House Rd, Suite 300</p> <p>16 Charlotte, North Carolina 28277</p> <p>17 704-543-2321</p> <p>18 zjett@butler.legal</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> </div>	<div>Page 5</div> <div> <p>1 P R O C E E D I N G S</p> <p>2 THE VIDEOGRAPHER: Counselors,</p> <p>3 gentlemen, witness, we're now going on the record.</p> <p>4 Good morning, this is the deposition of</p> <p>5 Captain Sam Stephenson in the matter of Coyemans</p> <p>6 Marine Towing LLC, et al, Civil Action Number</p> <p>7 2:24-CV-00490. This deposition is being held via</p> <p>8 remote method. The date is August 11, 2025, the</p> <p>9 time is 10:33 a.m.</p> <p>10 I am Rob Chang, the videographer, on</p> <p>11 behalf of First Legal Deposition, located in Los</p> <p>12 Angeles, California. This deposition is being</p> <p>13 videoed at all times unless specified to go off the</p> <p>14 video record.</p> <p>15 Would all attorneys present please</p> <p>16 identify yourself, beginning with the noticing</p> <p>17 attorney.</p> <p>18 MR. NANAVALTI: My name is Mark</p> <p>19 Nanavati, and I represent Evanston Insurance.</p> <p>20 MR. CHAPMAN: James Chapman, I</p> <p>21 represent Norfolk and Portsmouth Beltline Railroad</p> <p>22 Company.</p> </div>

CAPTAIN SAMUEL STEPHENSON, J.D.

August 11, 2025

Page 6	Page 8
<p>1 MR. JETT: Zachary Jett, I represent</p> <p>2 Evanston Insurance Company.</p> <p>3 MR. RODGERS: James Rogers of Clyde &</p> <p>4 Co., we represent Coyemans Marine Towing d/b/a</p> <p>5 Carver Marine Towing, as well as the Tug, Mackenzie</p> <p>6 Rose, and the witness.</p> <p>7 MR. ROMAN: Michael Roman, also with</p> <p>8 Clyde, for the same parties as Mr. Rodgers.</p> <p>9 THE VIDEOGRAPHER: Thank you. Will the</p> <p>10 court reporter please swear in the witness?</p> <p>11 THE COURT REPORTER: Mr. Stephenson,</p> <p>12 can I get you to raise your right hand, please?</p> <p>13 WHEREUPON,</p> <p>14 CAPTAIN SAMUEL STEPHENSON, J.D.,</p> <p>15 called as a witness, and after first being duly</p> <p>16 sworn, was examined and testified as follows:</p> <p>17 THE WITNESS: I do.</p> <p>18 THE COURT REPORTER: Thank you.</p> <p>19 EXAMINATION</p> <p>20 BY MR. NANAVALI:</p> <p>21 Q: Can you state your full name on the</p> <p>22 record for me, please?</p>	<p>1 between us.</p> <p>2 So, if you're not 100% sure you heard</p> <p>3 me, or you're not 100% sure you knew what I'm</p> <p>4 getting at or understand my question, please stop</p> <p>5 me and let me repeat or rephrase, so we're sure</p> <p>6 we're on the same page. It won't be helpful to</p> <p>7 either one of us if a month from now we're reading</p> <p>8 a transcript, and I think you're giving me an</p> <p>9 answer to a question that's different than the</p> <p>10 question you thought you were answering, okay?</p> <p>11 A: Yes.</p> <p>12 Q: Okay? And just like a regular</p> <p>13 deposition, verbal responses are necessary, so that</p> <p>14 the court reporter can type down an answer without</p> <p>15 trying to interpret your movements.</p> <p>16 A: Yes.</p> <p>17 Q: Okay.</p> <p>18 A: Who retained you?</p> <p>19 Q: Clyde.</p> <p>20 A: Okay. And who at Clyde was your point</p> <p>21 of contact?</p> <p>22 A: Jim Rodgers.</p>
Page 7	Page 9
<p>1 A: Samuel S. Stephenson.</p> <p>2 Q: Mr. Stephenson, my name is Mark</p> <p>3 Nanavati, and as I mentioned just a few minutes</p> <p>4 ago, I represent Evanston Insurance Company in this</p> <p>5 litigation. I'm going to take your deposition</p> <p>6 today. You may get some questions from the</p> <p>7 Beltline as well.</p> <p>8 What do you prefer to be called?</p> <p>9 A: You can call me Sam, or Captain Sam, or</p> <p>10 Captain Stephenson.</p> <p>11 Q: Okay, I'll call you Sam. If that</p> <p>12 doesn't offend you, it will be a little bit easier</p> <p>13 on the record. And Sam, I assume based on what</p> <p>14 I've seen, you've been to depositions before, so</p> <p>15 you have a general idea of how this goes, correct?</p> <p>16 A: Yes.</p> <p>17 Q: All right. The only thing I'll say is,</p> <p>18 and I don't know if you've been to a remote</p> <p>19 deposition before, but sometimes these remote</p> <p>20 depositions, it can be a little bit more difficult</p> <p>21 for me to follow your answers or you to follow my</p> <p>22 questions because we've got this AV interface</p>	<p>1 Q: Okay. And had you worked for Clyde</p> <p>2 before?</p> <p>3 A: I did one other case with Clyde.</p> <p>4 Q: And was that also with Mr. Rodgers?</p> <p>5 A: To my knowledge, he was involved in it.</p> <p>6 Q: Okay. And do you recall, is that case</p> <p>7 on your list, or is that a case where you did not</p> <p>8 provide testimony?</p> <p>9 A: I did not provide testimony.</p> <p>10 Q: Okay, what was the nature of that case?</p> <p>11 A: It was a man overboard case in which a</p> <p>12 person died.</p> <p>13 Q: Okay. And we've obviously been</p> <p>14 provided with your 26A2 disclosure which has your</p> <p>15 bio in it and list of cases where you testified</p> <p>16 previously.</p> <p>17 Without me going through it, that bio</p> <p>18 is accurate as of today, generally speaking?</p> <p>19 A: Yes.</p> <p>20 Q: And the list of cases that you provided</p> <p>21 -- where you provided either testimony by way of a</p> <p>22 deposition or trial, that's accurate as of today?</p>

CAPTAIN SAMUEL STEPHENSON, J.D.

August 11, 2025

<p style="text-align: right;">Page 10</p> <p>1 A: Yes.</p> <p>2 Q: Okay. I noticed in your bio that you</p> <p>3 have a J.D.?</p> <p>4 A: Yes.</p> <p>5 Q: Did you ever practice as a lawyer?</p> <p>6 A: No, I did not.</p> <p>7 Q: Okay, are you licensed to practice?</p> <p>8 A: No.</p> <p>9 Q: Okay. And outside of the cases that</p> <p>10 you've identified in your report where you provided</p> <p>11 testimony, can you give me just a general idea of</p> <p>12 how many cases you do a year as a consultant where</p> <p>13 you may or may not provide testimony?</p> <p>14 A: It varies. Some years I'll do more</p> <p>15 than others, but I'd say possibly five a year.</p> <p>16 Q: Okay. And for how long have you been</p> <p>17 averaging approximately five a year?</p> <p>18 A: About 25 years.</p> <p>19 Q: Okay. And I see that you obviously</p> <p>20 have other vocations outside of serving as a</p> <p>21 consultant.</p> <p>22 How does your work week or work month</p>	<p style="text-align: right;">Page 12</p> <p>1 Q: Okay. And of that 10, do you have a</p> <p>2 rough idea of how many involved allisions with a</p> <p>3 bridge?</p> <p>4 A: None of them did.</p> <p>5 Q: Okay, so this is the first case that</p> <p>6 you had where a vessel allided with a bridge?</p> <p>7 A: Yes.</p> <p>8 Q: Okay. And the 10 cases that you had</p> <p>9 that involved allisions, generally, how many of</p> <p>10 those cases involved allegations relating to the</p> <p>11 use of autopilot?</p> <p>12 A: This is the first one.</p> <p>13 Q: Okay. And of the 10 cases you</p> <p>14 previously worked on that involved allisions, how</p> <p>15 many of those involved allegations related to the</p> <p>16 proper use of a lookout?</p> <p>17 A: This is the first one.</p> <p>18 Q: Okay. And of those 10 cases that you</p> <p>19 --</p> <p>20 A: I take that back. Several have</p> <p>21 involved a lookout.</p> <p>22 Q: Okay. Like three or four or something</p>
<p style="text-align: right;">Page 11</p> <p>1 divide up between non-consulting work and legal</p> <p>2 consulting work, just by way of percentages?</p> <p>3 Again, roughly.</p> <p>4 A: The legal work is very small compared</p> <p>5 to my work schedule. I'm a harbor pilot, so we</p> <p>6 work an unusual schedule. I work 28 days on, 28</p> <p>7 days off.</p> <p>8 Q: Okay, so when you're working 28 days</p> <p>9 on, you're almost exclusively working as a harbor</p> <p>10 pilot, I'm assuming, and then the other 28 days you</p> <p>11 have time to do the consulting work?</p> <p>12 A: Correct. But it just varies.</p> <p>13 Q: I got you. I got you. Okay.</p> <p>14 Again, I've been able to look at the</p> <p>15 list of cases you've provided where you were called</p> <p>16 upon to provide transcribed testimony, but can you</p> <p>17 give me a sense of the work that you've done over</p> <p>18 these last 25 years? If you can, what percentage</p> <p>19 of them involved allisions versus some other</p> <p>20 casualty event?</p> <p>21 A: I'd say possibly 10 involved allisions</p> <p>22 approximately.</p>	<p style="text-align: right;">Page 13</p> <p>1 like that out of the 10?</p> <p>2 A: I would have to look. I don't have</p> <p>3 that in front of me.</p> <p>4 Q: Okay. And in those several cases, do</p> <p>5 you recall whether or not you were providing an</p> <p>6 opinion that the lookout that was in place was</p> <p>7 satisfactory or unsatisfactory?</p> <p>8 A: Yes.</p> <p>9 Q: Which side of that were you on?</p> <p>10 A: I was on the defense side.</p> <p>11 Q: So, whatever the lookout situation was</p> <p>12 in those vessels was appropriate given the</p> <p>13 circumstances?</p> <p>14 A: I was more on the side of the lookout</p> <p>15 on the other vessel was not appropriate.</p> <p>16 Q: Okay. Got you.</p> <p>17 So, were those allisions, or were those</p> <p>18 collisions?</p> <p>19 A: It was an allision.</p> <p>20 Q: Okay. And the opinions that you</p> <p>21 provided regarding the lookout not being</p> <p>22 appropriate on the other vessel, was it a</p>

CAPTAIN SAMUEL STEPHENSON, J.D.

August 11, 2025

<p style="text-align: right;">Page 14</p> <p>1 circumstance where it was a single -- where the</p> <p>2 captain was operating as a lookout, or was it one</p> <p>3 where there was a posted lookout? Give me an idea</p> <p>4 of what type of lookout issues you were dealing</p> <p>5 with.</p> <p>6 A: The vessel was at anchor.</p> <p>7 Q: Okay. And what was the lookout</p> <p>8 situation with the vessel that was at anchor that</p> <p>9 you were opining on?</p> <p>10 A: There was one mate on the bridge, and</p> <p>11 he was not looking out the window.</p> <p>12 Q: Okay. And where was he looking?</p> <p>13 A: He was on his computer.</p> <p>14 Q: Okay. Got it.</p> <p>15 The approximately 10 allision matters</p> <p>16 you've been involved in before this one, did any of</p> <p>17 those other allisions involve an allegation that a</p> <p>18 vessel had left the scene of the allision without</p> <p>19 properly reporting the allision to the authority</p> <p>20 with jurisdiction?</p> <p>21 MR. RODGERS: Objection to the form.</p> <p>22 You can answer it.</p>	<p style="text-align: right;">Page 16</p> <p>1 along a little bit.</p> <p>2 Piloting and navigation?</p> <p>3 A: Yes.</p> <p>4 Q: Okay.</p> <p>5 Pleasure vessel safety?</p> <p>6 A: Yes.</p> <p>7 Q: Gangways and accommodation ladders?</p> <p>8 A: Yes.</p> <p>9 Q: Harbor and port design?</p> <p>10 A: No.</p> <p>11 Q: Okay. Tug and barge operations?</p> <p>12 A: No.</p> <p>13 Q: Okay, shipboard safety?</p> <p>14 A: Yes.</p> <p>15 Q: Life-saving equipment?</p> <p>16 A: Yes.</p> <p>17 Q: Okay, ship handling?</p> <p>18 A: Yes.</p> <p>19 Q: Collisions?</p> <p>20 A: Yes.</p> <p>21 Q: Seamanship?</p> <p>22 A: Yes.</p>
<p style="text-align: right;">Page 15</p> <p>1 A: No.</p> <p>2 Q: Okay. As it relates to prior cases</p> <p>3 you've been involved in or in litigation, do you</p> <p>4 know whether or not any opinions that you've</p> <p>5 provided or intended to provide at trial were</p> <p>6 either excluded in whole or in part by a court?</p> <p>7 A: None of my opinions have been excluded.</p> <p>8 Q: Okay. Now, I looked on your website.</p> <p>9 You've got a long list of areas of expertise, many</p> <p>10 of which are relevant to this case and some of</p> <p>11 which are not.</p> <p>12 And I'll just go through these with</p> <p>13 you, and you can tell me whether or not you've been</p> <p>14 qualified as an expert in any federal court on</p> <p>15 these particular areas of expertise. The first</p> <p>16 topic or subject that you had on your website was</p> <p>17 navigation rules.</p> <p>18 Have you qualified as an expert to</p> <p>19 testify regarding navigation rules?</p> <p>20 A: Yes.</p> <p>21 Q: Okay. And it'll be the same question</p> <p>22 for each of these, so I'm just going to move it</p>	<p style="text-align: right;">Page 17</p> <p>1 Q: Fire --</p> <p>2 A: Some of these go together.</p> <p>3 Q: I'm sorry, say it again. I'm sorry,</p> <p>4 you broke up.</p> <p>5 A: Some of these go together. When you're</p> <p>6 talking about lookout and rules of the road, those</p> <p>7 go together.</p> <p>8 Q: Okay. And I'm just reading -- I just</p> <p>9 cut this list right off your website, so if they</p> <p>10 need to go together, just let me know that. But</p> <p>11 they were separated on your website.</p> <p>12 Firefighting?</p> <p>13 A: Yes.</p> <p>14 Q: Narrow channels?</p> <p>15 A: No. That would be navigation, though,</p> <p>16 and rules of the road.</p> <p>17 Q: Okay. But specifically, again, on your</p> <p>18 website, you've got an area of expertise called</p> <p>19 narrow channels, and you don't recall a prior case</p> <p>20 where you've been designated as an expert and</p> <p>21 allowed to testify on that subject in federal</p> <p>22 court.</p>

CAPTAIN SAMUEL STEPHENSON, J.D.

August 11, 2025

<p style="text-align: right;">Page 18</p> <p>1 Is that correct?</p> <p>2 A: Correct.</p> <p>3 Q: Okay, line handling?</p> <p>4 A: Yes.</p> <p>5 Q: Okay, groundings?</p> <p>6 A: Yes.</p> <p>7 Q: Okay. And then the last one,</p> <p>8 allisions, which we've already talked about,</p> <p>9 correct?</p> <p>10 A: Yes.</p> <p>11 Q: Okay. There's a couple things when I</p> <p>12 was reading your report that I think may be</p> <p>13 relevant to this case that I did not see on your</p> <p>14 list of topics.</p> <p>15 And let me ask you this, do you hold</p> <p>16 yourself out as an expert in the manufacture of</p> <p>17 autopilots?</p> <p>18 A: No.</p> <p>19 Q: Okay, do you hold yourself out as an</p> <p>20 expert in the servicing of autopilot systems?</p> <p>21 A: No.</p> <p>22 Q: Okay, do you hold yourself out as an</p>	<p style="text-align: right;">Page 20</p> <p>1 A: As a pilot or as a captain?</p> <p>2 Q: Well, as a pilot or a captain.</p> <p>3 A: Numerous bridges. Are you talking</p> <p>4 autopilot?</p> <p>5 Q: Yes, sir.</p> <p>6 A: We do -- in Port Everglades, we use</p> <p>7 autopilot going through the 17th Street Bridge.</p> <p>8 Q: Okay, is there any other bridge that</p> <p>9 you've either piloted or captained where you've</p> <p>10 transited the bridge while in autopilot?</p> <p>11 A: Not to my knowledge.</p> <p>12 Q: Okay. And outside of the 17th Street</p> <p>13 Bridge, can you give me a sense of how many bridge</p> <p>14 transits you've made as either a captain or a</p> <p>15 pilot?</p> <p>16 A: I couldn't tell you.</p> <p>17 Q: Thousands?</p> <p>18 A: No, not thousands.</p> <p>19 Q: Hundreds?</p> <p>20 A: I wouldn't even say hundreds.</p> <p>21 Q: Okay, less than a hundred?</p> <p>22 A: You're asking me a question I really</p>
<p style="text-align: right;">Page 19</p> <p>1 expert in the installation of autopilot systems?</p> <p>2 A: No.</p> <p>3 Q: Okay. And do you hold yourself out as</p> <p>4 an expert in the maintenance of autopilot systems?</p> <p>5 A: No.</p> <p>6 Q: Okay. There was also some opinions in</p> <p>7 here regarding the credibility of Captain</p> <p>8 Morrissey.</p> <p>9 Do you hold yourself out as a human</p> <p>10 factors expert?</p> <p>11 A: No.</p> <p>12 Q: Okay. And do you hold yourself out as</p> <p>13 an expert in witness credibility?</p> <p>14 A: No.</p> <p>15 Q: Okay.</p> <p>16 When you've been operating a vessel,</p> <p>17 have you ever transited a bridge yourself in</p> <p>18 autopilot?</p> <p>19 A: Yes.</p> <p>20 Q: Okay. And where was that?</p> <p>21 A: 17th Street Bridge in Fort Lauderdale.</p> <p>22 Q: Okay, any other bridges?</p>	<p style="text-align: right;">Page 21</p> <p>1 can't opine on.</p> <p>2 Q: Okay.</p> <p>3 A: I've been at sea for 40-some years.</p> <p>4 Q: Okay. All right. We received a</p> <p>5 report -- I don't know if that was to me or not.</p> <p>6 Sorry. If it's me, I don't think so.</p> <p>7 We received a report from Carver, and</p> <p>8 I'm just going to refer to the entirety, entity,</p> <p>9 you know, Coyemans and the vessel as Carver.</p> <p>10 Is that okay by you?</p> <p>11 A: Yes.</p> <p>12 Q: Okay. We received an expert disclosure</p> <p>13 on Friday from Carver that contained a report that</p> <p>14 you authored. And the report itself has been</p> <p>15 marked as Exhibit 1 to this deposition.</p> <p>16 (WHEREUPON, EXHIBIT 1 WAS IDENTIFIED</p> <p>17 AND MARKED FOR THE RECORD.)</p> <p>18 BY MR. NANAVATI:</p> <p>19 Q: Do you have a copy of that report</p> <p>20 handy?</p> <p>21 A: Yes, I do.</p> <p>22 Q: Okay.</p>

CAPTAIN SAMUEL STEPHENSON, J.D.

August 11, 2025

<p style="text-align: right;">Page 22</p> <p>1 Can you pull that up just for a moment?</p> <p>2 A: Sure. There we go.</p> <p>3 Q: Yes. Yeah, I just want to make sure</p> <p>4 you can see it.</p> <p>5 Like I said, I've marked the report as</p> <p>6 Exhibit 1, and I'll get into some questions I have</p> <p>7 in a report in a moment, but I just want to be sure</p> <p>8 that we're on the same page.</p> <p>9 This report is called Report of</p> <p>10 Findings and Opinions of Captain Sam Stephenson,</p> <p>11 J.D., and it's dated June 8th of 2025.</p> <p>12 Do you see that?</p> <p>13 A: Yes.</p> <p>14 Q: Okay. And is this the report that you</p> <p>15 prepared in this particular matter?</p> <p>16 A: Yes.</p> <p>17 Q: Okay. And it looks to me like outside</p> <p>18 of your CV, the report that I have is a total of 67</p> <p>19 pages.</p> <p>20 Is that what you have as well?</p> <p>21 A: Yes.</p> <p>22 Q: Okay. And this report that we have in</p>	<p style="text-align: right;">Page 24</p> <p>1 A: I talked with the captain and the port</p> <p>2 captain, when I did the vessel inspection.</p> <p>3 Q: Okay. And do you recall who the port</p> <p>4 captain was at that time?</p> <p>5 A: No.</p> <p>6 Q: Okay, have you spoken with any of the</p> <p>7 crew that was aboard the Mackenzie Rose on June</p> <p>8 15th of 2024?</p> <p>9 A: Just the captain, the port captain.</p> <p>10 Q: Okay, were they on the Mackenzie Rose</p> <p>11 on June 14th of 2024?</p> <p>12 A: The captain wasn't, the port captain,</p> <p>13 no. Neither one.</p> <p>14 Q: Okay, did you say the captain was not,</p> <p>15 or was?</p> <p>16 I'm sorry, I had trouble hearing you.</p> <p>17 A: Was not.</p> <p>18 Q: Okay, so you have not spoken with any</p> <p>19 of the crew that were aboard the Mackenzie Rose on</p> <p>20 June 15th of 2024, correct?</p> <p>21 A: Yes.</p> <p>22 Q: Okay, have you asked to speak with any</p>
<p style="text-align: right;">Page 23</p> <p>1 front of us that's been marked as Exhibit 1, does</p> <p>2 this contain all the opinions that either you've</p> <p>3 been asked to, or you intend to provide at the</p> <p>4 trial of this matter, if it goes to trial?</p> <p>5 A: Yes.</p> <p>6 Q: Okay. And similar question, this</p> <p>7 report contains what I would call a basis for those</p> <p>8 opinions, meaning documents you've reviewed or</p> <p>9 facts that you've considered.</p> <p>10 Does this report contain the entirety</p> <p>11 of the basis for the opinions that are contained in</p> <p>12 Exhibit 1?</p> <p>13 A: Yes.</p> <p>14 Q: Okay, have you spoken directly with any</p> <p>15 employees of Carver?</p> <p>16 A: Yes.</p> <p>17 Q: Okay. And who have you spoken with?</p> <p>18 A: I talked with the captain on -- I did</p> <p>19 the vessel inspection.</p> <p>20 Q: Which captain?</p> <p>21 A: I don't recall the captain's name.</p> <p>22 Q: Okay.</p>	<p style="text-align: right;">Page 25</p> <p>1 of the crew that were on board the Mackenzie Rose</p> <p>2 on June 15th of 2024?</p> <p>3 A: No.</p> <p>4 Q: Okay, has anybody offered to you to</p> <p>5 speak with any of the crew that were on board the</p> <p>6 Mackenzie Rose on June 15th of 2024?</p> <p>7 MR. RODGERS: Objection, privileged.</p> <p>8 MR. NANAVATI: Outside of counsel, has</p> <p>9 anybody offered for you to interview or speak with</p> <p>10 the crew that were on board the Mackenzie Rose of</p> <p>11 June 15th of 2024?</p> <p>12 MR. RODGERS: You can answer other than</p> <p>13 your attorney or the Carver's attorney.</p> <p>14 A: No.</p> <p>15 Q: As it relates to the crew that was</p> <p>16 aboard the Mackenzie Rose on June 15th of 2024,</p> <p>17 what investigation, if any, have any of you done</p> <p>18 into their individual backgrounds and training as</p> <p>19 it relates to serving as a crew member on the tug?</p> <p>20 A: I reviewed the documents Carver has</p> <p>21 with regards to their employment.</p> <p>22 Q: Okay. And outside of their HR files,</p>

CAPTAIN SAMUEL STEPHENSON, J.D.

August 11, 2025

Page 26	Page 28
<p>1 have you reviewed any other information regarding</p> <p>2 any one of these individuals' background or</p> <p>3 training as it relates to being a crew member on a</p> <p>4 tug like the Mackenzie Rose?</p> <p>5 MR. RODGERS: Objection to form.</p> <p>6 A: No.</p> <p>7 One thing I would like to just make</p> <p>8 clear, Mark, is I made a typo on one page. I'd</p> <p>9 like to bring that up now before we get more into</p> <p>10 the report.</p> <p>11 Q: Yeah. Yeah.</p> <p>12 What is it?</p> <p>13 A: It's on page 18. And in the first</p> <p>14 paragraph, middle -- in the middle, it says, "Would</p> <p>15 be outside the mandated work rest requirements of</p> <p>16 working no more than 10 hours a day."</p> <p>17 Q: Right.</p> <p>18 A: That should have been 14 hours a day.</p> <p>19 Q: I'm sorry, how many hours?</p> <p>20 A: 14.</p> <p>21 Q: Okay. Got it. Thank you.</p> <p>22 And as it relates to your work as a --</p>	<p>1 wrote that course also.</p> <p>2 Q: Okay. And is that information</p> <p>3 available on your website, do you know?</p> <p>4 A: No.</p> <p>5 Q: Okay. All right.</p> <p>6 Is that information available, do you</p> <p>7 know, on either one of them -- from either one of</p> <p>8 those educational institutions?</p> <p>9 A: From Resolve, possibly. I don't know</p> <p>10 at this point.</p> <p>11 Q: Okay, was there anything in the rules</p> <p>12 course that would, and again, if you don't</p> <p>13 remember, that's fine, but it would bear directly</p> <p>14 on the big issues in this case, lookout, autopilot,</p> <p>15 transiting bridges?</p> <p>16 A: Lookout, yes.</p> <p>17 Q: Okay.</p> <p>18 Now, let me ask you just a few quick</p> <p>19 general questions about your understanding of what</p> <p>20 kind of brings us here today. You're aware that</p> <p>21 there was an allision between the Mackenzie Rose</p> <p>22 and or at least a barge it was pushing and the -- a</p>
Page 27	Page 29
<p>1 as a consultant, or your -- even your work as a</p> <p>2 pilot or a captain, have you written any articles</p> <p>3 or published any articles or books or anything</p> <p>4 related to navigation of a tugboat, autopilot,</p> <p>5 lookouts, anything like that?</p> <p>6 A: No.</p> <p>7 Q: Okay. All right. So, let me ask you a</p> <p>8 little bit about the allision that brings us all</p> <p>9 here today.</p> <p>10 First, are you aware that there was an</p> <p>11 allision?</p> <p>12 Sorry, go ahead.</p> <p>13 A: Let's back up. When you say, Have I</p> <p>14 authored anything? I've wrote courses. I wrote a</p> <p>15 rules of the road course for Resolve Maritime</p> <p>16 Academy.</p> <p>17 Q: Okay. And is that --</p> <p>18 A: I don't know if I'd call that authored,</p> <p>19 but it was rules course.</p> <p>20 Also, when I taught at the Texas</p> <p>21 Maritime Academy, part of Texas A&M, I taught the</p> <p>22 navigation rules of the road course. And again, I</p>	<p>1 bridge owned by Norfolk Southern on June 15th of</p> <p>2 2024?</p> <p>3 A: Yes.</p> <p>4 Q: Okay. And what is your understanding</p> <p>5 of where the barge that was being pushed by the</p> <p>6 Mackenzie Rose allided with the bridge?</p> <p>7 A: It's my understanding it was west. It</p> <p>8 was the west side of the bridge, just west of the</p> <p>9 fendering system.</p> <p>10 Q: Okay. And based on your understanding</p> <p>11 of the allision, was there anything that the</p> <p>12 Beltline did, the owner of the bridge, to cause or</p> <p>13 contribute to the allision?</p> <p>14 A: To my knowledge? No.</p> <p>15 Q: Okay. And to your knowledge, was the</p> <p>16 bridge -- was the bridge up at the time of the</p> <p>17 allision?</p> <p>18 A: Yes.</p> <p>19 MR. RODGERS: Objection. Can you</p> <p>20 explain what you mean by up?</p> <p>21 Q: Do you understand what I'm saying?</p> <p>22 There's a railroad track that goes across and it</p>

CAPTAIN SAMUEL STEPHENSON, J.D.

August 11, 2025

Page 30	Page 32
<p>1 can either be up or down?</p> <p>2 A: Yes.</p> <p>3 Q: Okay. And you understand that it was</p> <p>4 up when the allision occurred?</p> <p>5 A: Yes.</p> <p>6 Q: Okay, do you know whether or not any</p> <p>7 member of the Mackenzie Rose crew conducted a</p> <p>8 navigational assessment prior to the allision?</p> <p>9 A: No.</p> <p>10 Q: Okay, is that -- but you would agree</p> <p>11 with me that navigational assessments are required</p> <p>12 to be performed by the Coast Guard, correct?</p> <p>13 A: They're not required.</p> <p>14 Q: They're not required? Okay.</p> <p>15 A: No.</p> <p>16 Q: Is it good practice to conduct a</p> <p>17 navigational assessment before a vessel like the</p> <p>18 Mackenzie Rose starts a trip like this one?</p> <p>19 MR. RODGERS: Objection, it's vague.</p> <p>20 Can you go ahead and define what you mean, Mark?</p> <p>21 MR. NANAVALI: Go ahead and answer the</p> <p>22 question.</p>	<p>1 for it.</p> <p>2 Q: And do you know whether or not the</p> <p>3 Mackenzie Rose had been on this route on a regular</p> <p>4 basis prior to this allision?</p> <p>5 A: No, I don't.</p> <p>6 Q: Okay, do you know what training or</p> <p>7 requirements Carver has as it relates to conducting</p> <p>8 these particular assessments prior to a voyage?</p> <p>9 A: No.</p> <p>10 Q: Okay.</p> <p>11 As it relates to the allision, what</p> <p>12 speed do you understand the Mackenzie Rose was</p> <p>13 operating at when it allided with the bridge?</p> <p>14 A: I don't know what speed it was</p> <p>15 operating at when it allided with the bridge.</p> <p>16 Q: Okay, do you have an understanding or</p> <p>17 opinion as to what speed the Mackenzie Rose was</p> <p>18 operating at as it approached the bridge?</p> <p>19 A: Approximately 5.5 knots.</p> <p>20 Q: Okay. And have you seen any documents</p> <p>21 or an interview with a witness or any other</p> <p>22 information that would suggest that that speed</p>
Page 31	Page 33
<p>1 MR. RODGERS: Can you define what you</p> <p>2 mean?</p> <p>3 Q: Do you know what a navigational</p> <p>4 assessment is?</p> <p>5 A: You're talking a risk assessment?</p> <p>6 Q: Yeah.</p> <p>7 Do you understand what I'm asking?</p> <p>8 A: You're talking like a GAR assessment?</p> <p>9 Q: Yeah.</p> <p>10 A: Yes.</p> <p>11 Q: Okay. And I think what you said is you</p> <p>12 do not know whether or not one was performed prior</p> <p>13 to this particular voyage, correct?</p> <p>14 A: Yes.</p> <p>15 Q: And I think what you said is they're</p> <p>16 not required.</p> <p>17 Is that right?</p> <p>18 A: Yes.</p> <p>19 Q: Okay, do you believe it's good practice</p> <p>20 to conduct one?</p> <p>21 A: Not if you're doing a route on a</p> <p>22 regular basis. In my opinion, there's no reason</p>	<p>1 altered in some way as the allision occurred?</p> <p>2 A: Yes.</p> <p>3 Q: Okay. And tell me what you saw.</p> <p>4 A: Reading the 2692 form before the vessel</p> <p>5 or the barge allided with the bridge, Mate</p> <p>6 Morrissey at first put the engines at stern. At</p> <p>7 some point he put the engines full of stern.</p> <p>8 Q: Okay. And do you know whether that was</p> <p>9 before or after the allision?</p> <p>10 A: Based on the document, it was before</p> <p>11 the allision.</p> <p>12 Q: Okay, does it say in that document that</p> <p>13 the engines were put in full of stern before the</p> <p>14 allision?</p> <p>15 A: Let me read it so we're clear.</p> <p>16 Q: Please, please.</p> <p>17 MR. RODGERS: Do you want to put it in</p> <p>18 front of him, Mark? Do you have exhibits?</p> <p>19 MR. NANAVALI: He has it in front of</p> <p>20 him.</p> <p>21 MR. RODGERS: Well, going forward, can</p> <p>22 you put the document in front of him?</p>

CAPTAIN SAMUEL STEPHENSON, J.D.

August 11, 2025

<p style="text-align: right;">Page 34</p> <p>1 MR. NANAVATI: It's in his report.</p> <p>2 A: Okay. This is from the 2692 form. The</p> <p>3 officer of the watch stated that once he did switch</p> <p>4 to hand steering, he gave a slow of stern at first</p> <p>5 and then a full of stern.</p> <p>6 Q: Okay. And is there any indication that</p> <p>7 that was either before or after the allision?</p> <p>8 A: In my opinion, it was before the</p> <p>9 allision.</p> <p>10 Q: Okay. But my question is, is there</p> <p>11 anything in that document that says that this</p> <p>12 occurred either before or after the allision?</p> <p>13 A: It says, "Once contact was made with</p> <p>14 the bridge structure, the vessel was barely making</p> <p>15 headway."</p> <p>16 Q: Okay.</p> <p>17 A: So, if once contact was made, in my</p> <p>18 opinion, they had slowed down before the allision.</p> <p>19 Q: Okay, but you would agree with me that</p> <p>20 outside of that, there's nothing in the report that</p> <p>21 indicates that the full of stern was either before</p> <p>22 or after allision?</p>	<p style="text-align: right;">Page 36</p> <p>1 to the allision?</p> <p>2 A: I don't recall that.</p> <p>3 Q: Okay, as the vessel was approaching the</p> <p>4 bridge, do you have an understanding of what its</p> <p>5 heading was?</p> <p>6 A: It was heading directly towards -- what</p> <p>7 do you mean by heading, the course it was on?</p> <p>8 Q: Yes.</p> <p>9 A: No, I don't.</p> <p>10 Q: Okay. And as it relates to what</p> <p>11 general direction was going on, as it relates to</p> <p>12 the bridge, as it was approaching the bridge, was</p> <p>13 it heading towards the bridge, or was it heading</p> <p>14 towards the channel between the two bridge piles?</p> <p>15 A: The vessel was slowly meandering</p> <p>16 westward of the middle of the bridge.</p> <p>17 Q: Okay. And do you have an opinion as to</p> <p>18 why the vessel was slowly meandering westwards</p> <p>19 towards the physical structure itself?</p> <p>20 A: Can you repeat that?</p> <p>21 Q: Yeah, do you know why it was slowly</p> <p>22 meandering to the left?</p>
<p style="text-align: right;">Page 35</p> <p>1 A: I would have to look. I think there</p> <p>2 was a -- Morrissey had a comment that he started</p> <p>3 backing before.</p> <p>4 Q: Okay have you seen the video of the</p> <p>5 allision?</p> <p>6 A: Yes.</p> <p>7 Q: Did you see any evidence from the video</p> <p>8 that the Mackenzie Rose was full of stern prior to</p> <p>9 the allision?</p> <p>10 A: I wouldn't be able to tell from that</p> <p>11 video. It would be a little hard. You're talking</p> <p>12 about the watch.</p> <p>13 Q: Okay, have you seen anything on the</p> <p>14 electronic data that was produced from the</p> <p>15 Mackenzie Rose that would suggest that the speed of</p> <p>16 the Mackenzie Rose had either slowed or gone into</p> <p>17 almost reverse prior to the allision?</p> <p>18 A: If I recall, on the Rose Point data, it</p> <p>19 was slowing down somewhat right before the</p> <p>20 allision.</p> <p>21 Q: Okay. And do you have a recollection</p> <p>22 of when you say somewhat, how much it slowed prior</p>	<p style="text-align: right;">Page 37</p> <p>1 A: Do I know why? No, I wasn't there.</p> <p>2 Q: Okay, do you have an opinion as to why</p> <p>3 it was meandering to the left, based on your review</p> <p>4 of the information that's listed in your 26A2</p> <p>5 disclosure?</p> <p>6 A: Yes.</p> <p>7 Q: Okay, what is that?</p> <p>8 A: Loss of situational awareness.</p> <p>9 Q: Okay. And how does that interplay with</p> <p>10 the vessel being an autopilot?</p> <p>11 A: The Mate Morrissey, in my opinion, was</p> <p>12 not paying attention.</p> <p>13 Q: Okay. And was the autopilot</p> <p>14 functioning properly when it was allowing the</p> <p>15 vessel to drift to the left into the bridge?</p> <p>16 A: From all the evidence I have reviewed,</p> <p>17 yes.</p> <p>18 Q: Okay, so what was it about the</p> <p>19 autopilot that had it set on a course, or not on a</p> <p>20 course, but allowed it to meander to the left?</p> <p>21 MR. RODGERS: Objection to form, you</p> <p>22 can answer if you understand it.</p>

CAPTAIN SAMUEL STEPHENSON, J.D.

August 11, 2025

<p style="text-align: right;">Page 38</p> <p>1 THE WITNESS: Can you repeat the 2 question? 3 MR. NANAVATI: Yeah. 4 Q: Was the vessel in autopilot as it 5 approached the bridge? 6 A: At some point, yes. 7 Q: Okay. And how far away from the bridge 8 was it when the autopilot was disengaged, in your 9 opinion? 10 A: I don't know. I wasn't there. 11 Q: Okay. And was the vessel meandering to 12 the left for some period of time before the 13 allision? 14 A: Yes. 15 Q: Okay. And was the vessel meandering to 16 the left for some period of time while it was in 17 autopilot, in your opinion? 18 A: Yes. 19 Q: Okay. And can you explain to me why 20 the vessel was meandering to the left while it was 21 in autopilot? 22 A: Why it was meandering to the left in</p>	<p style="text-align: right;">Page 40</p> <p>1 A: I'd say it's lack of situational 2 awareness. 3 Q: I know you said that, but something's 4 causing this vessel to move to the left, correct? 5 Could be the course input. Presumably it could be 6 other things, correct? 7 A: My opinion was course input by Mate 8 Morrissey. 9 Q: Okay. And do you know what course Mate 10 Morrissey inputted into the autopilot system? 11 A: No, I don't. 12 Q: Okay, have you seen any documents or 13 any interviews of any witnesses or any other 14 information that would indicate what course Mate 15 Morrissey put into the autopilot system? 16 A: No. 17 Q: All right, and do you know what 18 training Carver provided Mate Morrissey as it 19 relates to course input on this particular 20 autopilot system? 21 A: No, but I'll say it's common not to 22 train a captain. A captain is the one who normally</p>
<p style="text-align: right;">Page 39</p> <p>1 autopilot? 2 Q: Yes. 3 A: Because in my opinion, Morrissey was 4 not paying attention. He had a lack of situational 5 awareness, and that's the reason it was meandering 6 to the west in autopilot. 7 Q: Okay. And how did his lack of 8 situational awareness play into the vessel 9 meandering to the left while it was in autopilot? 10 A: Because he wasn't paying attention. 11 Q: And what was causing the vessel to 12 meander to the left while it was in autopilot? 13 A: You're talking the course input? 14 Q: Okay, so your opinion is that when the 15 course input was put in, it was put in improperly? 16 A: I wasn't there, so I can't tell you. 17 But if that's the course it was on, it was 18 meandering to the west, it would be a course input. 19 Q: Okay, but do you have an opinion one 20 way or the other as to whether or not the course 21 input was the cause of the meandering, or something 22 else?</p>	<p style="text-align: right;">Page 41</p> <p>1 does the training for the crew members. And when 2 you receive a -- when you get the autopilot, if you 3 have a question, look at the manual. 4 Q: Okay. And do you know whether or not 5 -- so, my question is this though, do you know 6 whether or not Carver provided any instruction to 7 Mate Morrissey, Captain Miller, or any other member 8 of the crew of the Mackenzie Rose regarding the use 9 and operation of the Simrad autopilot system that 10 was installed several months before this allision? 11 A: No, but that's up to the captain. The 12 captain is in charge of the vessel, and he is the 13 one who should be reading the manual if he has any 14 questions. 15 Q: Okay. And do you know whether he read 16 the manual? 17 A: No. 18 Q: Okay, do you know whether he was 19 provided the manual? 20 A: When I went on board, there was a 21 manual aboard the vessel. 22 Q: Okay, do you know whether or not that</p>

CAPTAIN SAMUEL STEPHENSON, J.D.

August 11, 2025

Page 42	Page 44
<p>1 same manual was aboard the vessel on June 15th of</p> <p>2 2024?</p> <p>3 A: I wasn't there. No.</p> <p>4 Q: Okay.</p> <p>5 MR. RODGERS: Mark, just by counsel, I</p> <p>6 see the captain's here and he's not a party. So</p> <p>7 again, could you please ask him to leave, Captain</p> <p>8 Lewis?</p> <p>9 MR. NANAVATI: I believe he's an</p> <p>10 expert, can sit in on other depositions, and he's</p> <p>11 been permitted to sit in other depositions in this</p> <p>12 case.</p> <p>13 MR. RODGERS: I don't believe he can.</p> <p>14 MR. NANAVATI: So, what do you want to</p> <p>15 do about that?</p> <p>16 I think I'm pretty clear that he's</p> <p>17 allowed to sit in and listen as an expert witness.</p> <p>18 MR. RODGERS: Give me a case or give me</p> <p>19 a -- give me something.</p> <p>20 MR. NANAVATI: Well, I mean, if you</p> <p>21 want to go, we'll have to -- I'm not -- if you</p> <p>22 wanted to have legal research on this, we'll have</p>	<p>1 record. The time is 11:23.</p> <p>2 Please proceed.</p> <p>3 MR. NANAVATI: Oh, is Jim back?</p> <p>4 Rodgers?</p> <p>5 MR. RODGERS: I'm back.</p> <p>6 MR. NANAVATI: Okay. All right.</p> <p>7 Mr. Lorman, can you just remind me what</p> <p>8 the last question and answer was, please? I've</p> <p>9 lost my track.</p> <p>10 MR. RODGERS: Can we get to the issue</p> <p>11 about --</p> <p>12 MR. NANAVATI: Oh yeah, sorry. I</p> <p>13 didn't -- yeah. Did you -- did you have something</p> <p>14 to the contrary?</p> <p>15 MR. RODGERS: It's not allowed. You've</p> <p>16 got something that allows it, then -- I thought --</p> <p>17 what have you been doing for 10 minutes?</p> <p>18 MR. NANAVATI: I sent you an email like</p> <p>19 10 minutes ago with a case from the fourth circuit</p> <p>20 saying that it's allowed.</p> <p>21 MR. RODGERS: Well, would have helped</p> <p>22 if you told me.</p>
Page 43	Page 45
<p>1 to go off the record for a bit, do the research and</p> <p>2 have a back and forth on it, or you can note your</p> <p>3 objection, and we can move on.</p> <p>4 MR. RODGERS: Yeah. No, let's -- let's</p> <p>5 just get this -- let's do it, the first option.</p> <p>6 MR. NANAVATI: What was that?</p> <p>7 MR. RODGERS: Let's find out whether he</p> <p>8 can be here or not before we continue.</p> <p>9 MR. NANAVATI: Okie doke. Let's go off</p> <p>10 the record.</p> <p>11 MR. RODGERS: Take a break. I don't</p> <p>12 know how long it'll take you. Is 15 minutes okay?</p> <p>13 MR. NANAVATI: Should be fine.</p> <p>14 MR. RODGERS: Okay.</p> <p>15 THE WITNESS: 15 minutes?</p> <p>16 MR. RODGERS: Yeah, 15 minutes.</p> <p>17 THE VIDEOGRAPHER: Counselor, we're</p> <p>18 going off the record. The time is 11:08.</p> <p>19 One moment, please.</p> <p>20 (WHEREUPON, A BRIEF RECESS WAS TAKEN.)</p> <p>21 THE VIDEOGRAPHER: Counselors,</p> <p>22 gentlemen, witness, we're now going back on the</p>	<p>1 MR. NANAVATI: You want to read it, and</p> <p>2 we'll go back -- go off the record, so you can read</p> <p>3 it, and we can come back on the record. That's</p> <p>4 fine by me. I don't spend any time getting an</p> <p>5 argument over things, but I think that the -- what</p> <p>6 we've cited is clear, and I indicated if you guys</p> <p>7 --</p> <p>8 MR. RODGERS: Let me read it and --</p> <p>9 MR. NANAVATI: Okay --</p> <p>10 MR. RODGERS: And we'll go from there.</p> <p>11 MR. NANAVATI: Okay. Let's go back off</p> <p>12 the record for like five minutes, and then we can</p> <p>13 come back on. Thank you.</p> <p>14 THE VIDEOGRAPHER: Counselors, we're</p> <p>15 going off the record. The time is 11:24.</p> <p>16 (WHEREUPON, A BRIEF RECESS WAS TAKEN.)</p> <p>17 THE VIDEOGRAPHER: Counselors,</p> <p>18 gentlemen, witness, we're going back on the record.</p> <p>19 The time is 11:39.</p> <p>20 Please proceed.</p> <p>21 MR. RODGERS: Yeah. So, Mark, I'm --</p> <p>22 I'm objecting. We'll go forward.</p>

CAPTAIN SAMUEL STEPHENSON, J.D.

August 11, 2025

Page 46	Page 48
<p>1 I'm objecting, one, you didn't provide</p> <p>2 a fourth circuit case.</p> <p>3 Two, as you stated, you had, I believe,</p> <p>4 two, I have not consented to any experts, and in</p> <p>5 the future going forward, while Mike is an</p> <p>6 important part of the team, he doesn't speak when</p> <p>7 it comes to substantive issues.</p> <p>8 And third, the only person that, from</p> <p>9 what I understand, was at an engineer's deposition</p> <p>10 was the consulting engineer or consulting expert,</p> <p>11 it was not a testifying expert.</p> <p>12 Be that as it may with that, I object</p> <p>13 to Captain Lewis being here, but we'll go forward</p> <p>14 with that objection on the record.</p> <p>15 MR. NANAVATI: Sounds good. Appreciate</p> <p>16 it.</p> <p>17 Mr. Lorman, can you just remind me what</p> <p>18 the last question and answer was, please?</p> <p>19 (WHEREUPON, THE COURT REPORTER READ</p> <p>20 BACK THE REQUESTED TRANSCRIPT QUESTION.)</p> <p>21 BY MR. NANAVATI:</p> <p>22 Q: Sam, do you have any understanding, or</p>	<p>1 autopilot's performance between its installation</p> <p>2 date and this allision in June of 2024?</p> <p>3 A: I recall there was one, but in my</p> <p>4 opinion, it was irrelevant because at the time the</p> <p>5 autopilot was working properly.</p> <p>6 Q: At the time of the allision, or at the</p> <p>7 time that this complaint was made?</p> <p>8 A: At the time of the allision based on</p> <p>9 the information that I've reviewed.</p> <p>10 Q: Okay, so let me ask, go back. You said</p> <p>11 there was another incident that you reviewed or</p> <p>12 another complaint regarding the autopilot's</p> <p>13 performance that you reviewed, what was that, and</p> <p>14 when did that occur?</p> <p>15 SSI don't recall.</p> <p>16 MR. RODGERS: Objection. If you're</p> <p>17 going to ask him about a specific document, please</p> <p>18 put it in front of him.</p> <p>19 MR. NANAVATI: I'm not.</p> <p>20 MR. RODGERS: Can't guess as to what</p> <p>21 incident you're talking about.</p> <p>22 Q: Well, you -- you just mentioned to me</p>
Page 47	Page 49
<p>1 have you learned anything regarding when the</p> <p>2 autopilot that was in place on June 15th, 2024, was</p> <p>3 installed in the Mackenzie Rose?</p> <p>4 A: I recall it -- not when I was there,</p> <p>5 no, but reading the documents, yes.</p> <p>6 Q: Okay. And when was it installed?</p> <p>7 A: I recall it was in November of '23.</p> <p>8 Q: Okay. And do you recall seeing</p> <p>9 anything in the materials that provided to you</p> <p>10 regarding any alleged or claimed issues with the</p> <p>11 autopilot's functionality between November of 2023</p> <p>12 -- November, when it was installed, and June 15th</p> <p>13 of 2024, when this allision occurred?</p> <p>14 A: Yes.</p> <p>15 Q: Okay. And what incidents do you recall</p> <p>16 seeing or reading about?</p> <p>17 A: It's an issue with the auto -- not the</p> <p>18 autopilot, was with the, I think, the satellite</p> <p>19 were disconnected and the vessel when the autopilot</p> <p>20 went into standby mode, like it should.</p> <p>21 Q: Okay, do you recall anything else</p> <p>22 occurring, or any other complaints regarding the</p>	<p>1 that you -- there was a satellite connectivity</p> <p>2 issue, correct?</p> <p>3 A: Yes.</p> <p>4 Q: And then, you mentioned there was</p> <p>5 another autopilot issue that you recalled learning</p> <p>6 about during your investigation in this matter,</p> <p>7 correct?</p> <p>8 A: Yes.</p> <p>9 Q: What was the other one that you recall</p> <p>10 either learning about or reading about?</p> <p>11 MR. RODGERS: Same objection. You can</p> <p>12 -- you can answer, if you recall.</p> <p>13 A: It was after the event on June 15,</p> <p>14 2024.</p> <p>15 Q: Okay, do you recall, other than the</p> <p>16 satellite connectivity issue, have you been</p> <p>17 provided any documents or any information at all</p> <p>18 regarding any other complaints regarding the</p> <p>19 performance of the autopilot between the date that</p> <p>20 it was installed and June 15th of 2024?</p> <p>21 MR. RODGERS: Objection. The documents</p> <p>22 are listed.</p>

CAPTAIN SAMUEL STEPHENSON, J.D.

August 11, 2025

Page 50	Page 52
<p>1 And again, counsel, I ask that you put</p> <p>2 documents in front of the witness instead of asking</p> <p>3 him to guess, you know, what the 2000 documents he</p> <p>4 looked at.</p> <p>5 MR. NANAVATI: So, I'm going to ask the</p> <p>6 question, again.</p> <p>7 MR. RODGERS: You can -- if you can</p> <p>8 remember, Captain, what you reviewed. If you</p> <p>9 can't, and you need a document, please ask the</p> <p>10 question that the attorney questioning you.</p> <p>11 MR. NANAVATI: And I'm just going to --</p> <p>12 I'm going to say this one time, Mr. Rodgers, these</p> <p>13 speaking objections that you make consistently</p> <p>14 throughout every deposition in order to coach</p> <p>15 witnesses how to answer questions is wholly</p> <p>16 inappropriate under the Rules of Federal Procedure.</p> <p>17 And if you continue in this case, and it makes it</p> <p>18 impossible to take this deposition, because you</p> <p>19 answer for every witness how you want them to</p> <p>20 answer by way of an objection, we will need to stop</p> <p>21 this and bring this back in front of the court,</p> <p>22 because it's not -- it's not appropriate.</p>	<p>1 the court this time, we're going to -- we're going</p> <p>2 to go right back to the lie you already did, and</p> <p>3 we'll bring it up at oral argument.</p> <p>4 MR. NANAVATI: You can suggest to the</p> <p>5 court that there's a --</p> <p>6 (SIMULTANEOUS SPEAKING.)</p> <p>7 MR. RODGERS: The witness --</p> <p>8 MR. NANAVATI: Please, make an</p> <p>9 objection, and let's move on.</p> <p>10 MR. RODGERS: Put on a document in</p> <p>11 front of him and stop this game.</p> <p>12 MR. NANAVATI: It's not -- I'm not</p> <p>13 asking -- I'm not asking about it. I'm not asking</p> <p>14 about a document.</p> <p>15 MR. RODGERS: It's not a speaking</p> <p>16 objection to ask you to put a document in front of</p> <p>17 the witness. And it's not a speaking objection for</p> <p>18 me to direct the witness on that issue. And you</p> <p>19 know it as well as I do.</p> <p>20 It's not coaching the witness on</p> <p>21 anything substantive. And you obviously agree</p> <p>22 because in your papers, after threatening us with</p>
Page 51	Page 53
<p>1 You can make an objection to form. You</p> <p>2 can make an objection that doesn't suggest an</p> <p>3 answer, but you continue to make objections in</p> <p>4 every deposition where you try to tell witnesses</p> <p>5 how to answer or respond to a question. And it's</p> <p>6 wholly inappropriate.</p> <p>7 MR. RODGERS: All right. Mark, you</p> <p>8 want -- you want to go there? Because you lied to</p> <p>9 the court in your papers and said there were 144</p> <p>10 speaking objections in your paper -- in your papers</p> <p>11 against the company, and yet you listed only 11.</p> <p>12 So, what you think is a speaking objection, you</p> <p>13 better be clear on it, and you better be precise,</p> <p>14 because so far in your papers, in your reply brief,</p> <p>15 you or Jim Chapman, whoever's responsible for those</p> <p>16 papers, lied to the court when you said 144</p> <p>17 speaking objections, and then the annex only has</p> <p>18 11.</p> <p>19 MR. NANAVATI: The 11 are you -- the 11</p> <p>20 are you obstructing witnesses not to answer. It</p> <p>21 may be appropriate for you to read something.</p> <p>22 MR. RODGERS: But if you want to lie to</p>	<p>1 140, 144 speaking objections, you actually only</p> <p>2 moved on 11, because there were no 140 speaking</p> <p>3 objections. So, that I want on the record, if</p> <p>4 you're going to go back to the court and</p> <p>5 misrepresent, whatever you're going to</p> <p>6 misrepresent, I want that on the record.</p> <p>7 MR. NANAVATI: Are you done?</p> <p>8 MR. RODGERS: No, are you done? Are</p> <p>9 you trying --</p> <p>10 MR. NANAVATI: I need to ask a</p> <p>11 question. Are you done?</p> <p>12 MR. RODGERS: Just please move forward.</p> <p>13 BY MR. NANAVATI:</p> <p>14 Q: You mentioned another, and I asked you,</p> <p>15 were you made aware of either verbally or through</p> <p>16 any kind of document, of any other issues with the</p> <p>17 autopilot from the date that it was installed until</p> <p>18 June 15th of 2024, other than the satellite</p> <p>19 connectivity issue?</p> <p>20 MR. RODGERS: Same objection. Answer</p> <p>21 if you can, Captain.</p> <p>22 A: Yeah, it would help refresh my memory</p>

CAPTAIN SAMUEL STEPHENSON, J.D.

August 11, 2025

Page 54	Page 56
<p>1 if you could put it up on the screen.</p> <p>2 Q: I'm not saying there are. I'm not</p> <p>3 saying there are or they're not. I'm asking you</p> <p>4 whether or not, as the expert witness in this case,</p> <p>5 opining on the functionality of the autopilot</p> <p>6 issue, you were made aware in any format, could</p> <p>7 have been a phone call, could have been a document,</p> <p>8 could have been smoke signals.</p> <p>9 Were you made aware of any other</p> <p>10 complaints regarding the functionality of the</p> <p>11 autopilot system between the date it was installed</p> <p>12 on June 15th of 2024, other than the connectivity</p> <p>13 issue that you described?</p> <p>14 MR. RODGERS: Objection.</p> <p>15 A: I recall the conductivity issue.</p> <p>16 Q: Anything else?</p> <p>17 A: No.</p> <p>18 Q: Okay.</p> <p>19 A: To be honest, I wasn't paying attention</p> <p>20 to that because that really isn't an issue in this</p> <p>21 case, in my opinion.</p> <p>22 Q: As it relates to the lookout on the</p>	<p>1 Q: Okay, let me ask you a little bit</p> <p>2 differently. So, I'm not going to do your job for</p> <p>3 you.</p> <p>4 Have you seen any documents at all that</p> <p>5 identified Mate Morrissey as the lookout on the</p> <p>6 date of the allision?</p> <p>7 A: No, nor would you expect to.</p> <p>8 Q: Okay.</p> <p>9 A: I wouldn't be expecting.</p> <p>10 Q: And have you -- have you talked to</p> <p>11 anybody or seen any testimony or any photos that</p> <p>12 shows Mate Morrissey in the -- in the upper</p> <p>13 wheelhouse in the minutes preceding the allision?</p> <p>14 A: Have I seen photos of him up in the</p> <p>15 upper wheelhouse?</p> <p>16 Q: Yes. Have you seen any, either</p> <p>17 deposition testimony or statements made by any of</p> <p>18 the crew, that they saw Mate Morrissey in the upper</p> <p>19 wheelhouse in the minutes preceding the allision?</p> <p>20 A: Preceding the allision, no. After the</p> <p>21 allision, yes.</p> <p>22 Q: Okay. And do you have any</p>
Page 55	Page 57
<p>1 Mackenzie Rose on the date of the allision, June</p> <p>2 15th of 2024, who do you believe was the lookout</p> <p>3 when the allision occurred?</p> <p>4 A: Mate Morrison.</p> <p>5 Q: Okay. And why do you believe that?</p> <p>6 A: On a vessel which has 360-degree</p> <p>7 visibility, it is common to have on a small vessel</p> <p>8 like the Mackenzie Rose, the watch officer as the</p> <p>9 acting lookout, that is standard procedure.</p> <p>10 Q: And is it standard procedure when the</p> <p>11 watch officer operates as the acting lookout to</p> <p>12 reference the watch operator as the lookout in the</p> <p>13 daily reports?</p> <p>14 A: I'm confused by what you're saying.</p> <p>15 Q: Yeah. When reports are made, the</p> <p>16 captain makes reports every day regarding the</p> <p>17 vessel, and there's a spot on there to identify a</p> <p>18 lookout, should the watch officer be identified as</p> <p>19 a lookout if they're serving as the lookout?</p> <p>20 A: I'm a little -- could you put it up on</p> <p>21 the screen? I'm a little confused by what you're</p> <p>22 saying there.</p>	<p>1 understanding at all based on the materials that</p> <p>2 you've reviewed as to whether or not the bridge</p> <p>3 that the Mackenzie Rose and Ortsbarge allided with</p> <p>4 was damaged?</p> <p>5 A: Can you repeat that?</p> <p>6 Q: Yeah, do you know whether or not the</p> <p>7 bridge was damaged by the allision?</p> <p>8 A: Based on the information I have</p> <p>9 reviewed, I saw the video of the -- the</p> <p>10 surveillance video.</p> <p>11 Q: And what did that tell you?</p> <p>12 A: Contact was made with the bridge.</p> <p>13 Q: Okay, did you see the bridge or the</p> <p>14 tracks change their position, meaning they were</p> <p>15 bent or damaged in some way?</p> <p>16 A: I saw a photo of it, yes.</p> <p>17 Q: Okay, have you been provided with any</p> <p>18 text from any employees at Carver where they</p> <p>19 indicated that they were going to tell Captain</p> <p>20 Miller that they had reported this allision to the</p> <p>21 Coast Guard, so he would leave the scene?</p> <p>22 A: Yes.</p>

CAPTAIN SAMUEL STEPHENSON, J.D.

August 11, 2025

<p style="text-align: right;">Page 58</p> <p>1 Q: Okay. And do you have an understanding</p> <p>2 as to why that instruction was given to Captain</p> <p>3 Miller?</p> <p>4 MR. RODGERS: Objection to form.</p> <p>5 A: No, I wasn't there.</p> <p>6 Q: Okay, you would agree with me that</p> <p>7 there's no evidence that anybody from Carver</p> <p>8 notified the Coast Guard of the allision on June</p> <p>9 15th of 2024, correct?</p> <p>10 MR. RODGERS: Objection to form, asks</p> <p>11 for a legal conclusion.</p> <p>12 A: So, you're saying did anyone on</p> <p>13 November 15th, contact Carver?</p> <p>14 Q: No.</p> <p>15 Are you aware of anything in your</p> <p>16 review of the materials that are listed in your</p> <p>17 2682 disclosure, have you seen any information that</p> <p>18 suggests that Carver did in fact report this</p> <p>19 allision to the Coast Guard on June 15th of 2024,</p> <p>20 as they represented to the captain of the Mackenzie</p> <p>21 Rose?</p> <p>22 A: No.</p>	<p style="text-align: right;">Page 60</p> <p>1 Q: Correct?</p> <p>2 A: Can you repeat that?</p> <p>3 Q: Yeah.</p> <p>4 So you understand that Captain Miller</p> <p>5 wanted to report this matter to the Coast Guard,</p> <p>6 correct?</p> <p>7 A: Yes.</p> <p>8 Q: And you understand that management at</p> <p>9 Carver told him they had reported it to the Coast</p> <p>10 Guard to get him to leave, correct?</p> <p>11 MR. RODGERS: Objection. Vague,</p> <p>12 ambiguous.</p> <p>13 A: I don't know why they said that to him.</p> <p>14 I wasn't there.</p> <p>15 Q: But they did say it, correct? You've</p> <p>16 seen those texts?</p> <p>17 MR. RODGERS: Asked and answered.</p> <p>18 A: Yes.</p> <p>19 Q: And that was not true, correct?</p> <p>20 A: Yes.</p> <p>21 Q: Okay.</p> <p>22 Do you know whether or not any drug or</p>
<p style="text-align: right;">Page 59</p> <p>1 Q: Okay. And if in fact either Carver or</p> <p>2 the vessel had reported the allision to the Coast</p> <p>3 Guard, would the Coast Guard have responded to the</p> <p>4 scene of the allision and boarded the vessel?</p> <p>5 MR. RODGERS: Objection to form. You</p> <p>6 can answer if you understand.</p> <p>7 A: I can't answer that question because if</p> <p>8 a vessel lays on the fendering of a bridge, when</p> <p>9 it's, let's say a barge lays on the fendering of</p> <p>10 the bridge and there's no damage to it, visible</p> <p>11 damage, the company or the captain is not required</p> <p>12 to report it.</p> <p>13 Q: I understand, but that's not what</p> <p>14 happened here, correct?</p> <p>15 MR. RODGERS: Objection.</p> <p>16 A: That's correct. That was management's</p> <p>17 understanding.</p> <p>18 Q: Okay, but management also misled the</p> <p>19 crew in telling them that they had reported it to</p> <p>20 the Coast Guard, so that they could go on, correct?</p> <p>21 MR. RODGERS: Objection to form. What</p> <p>22 do you mean by that?</p>	<p style="text-align: right;">Page 61</p> <p>1 alcohol tests were administered to any members of</p> <p>2 the Mackenzie Rose crew within 24 hours of the</p> <p>3 allision?</p> <p>4 A: Based on the information I've reviewed,</p> <p>5 no.</p> <p>6 Q: Okay. And is it -- after an allision</p> <p>7 like this, we know what actually happened, is it</p> <p>8 required by the Coast Guard to have crew members</p> <p>9 tested for alcohol and drugs within 24 hours of an</p> <p>10 allision?</p> <p>11 A: Management would have to make that</p> <p>12 decision, generally. And based on the information</p> <p>13 they were given, the vessel slid on the fendering,</p> <p>14 and if there's no damage, you're not required to do</p> <p>15 that.</p> <p>16 Q: Okay, they also got a picture from the</p> <p>17 vessel showing the bent railroad track, correct?</p> <p>18 A: I saw the picture of the fendering from</p> <p>19 the vessel, and that's what I would have focused on</p> <p>20 based on the text also.</p> <p>21 Q: Did they get it -- did -- you're not</p> <p>22 answering my question.</p>

CAPTAIN SAMUEL STEPHENSON, J.D.

August 11, 2025

Page 62	Page 64
<p>1 Did the -- did a vessel text a picture</p> <p>2 of the bridge damage to the Carver management?</p> <p>3 A: They texted a picture of the bridge. I</p> <p>4 can't tell you if that specified the damage or not.</p> <p>5 I'm not looking at the picture. I would not have</p> <p>6 seen it myself.</p> <p>7 Q: Okay, you looked at the picture and you</p> <p>8 couldn't see the tracks had a curve in them?</p> <p>9 MR. RODGERS: Objection.</p> <p>10 A: Not really --</p> <p>11 Q: Okay --</p> <p>12 A: -- because I'm not an expert in that</p> <p>13 field.</p> <p>14 Q: Okay, what is a safety management</p> <p>15 system?</p> <p>16 A: It's a management system a lot of</p> <p>17 companies have with regards to manuals and</p> <p>18 practices.</p> <p>19 Q: Is it industry standard for a company</p> <p>20 like Carver to have a safety management system?</p> <p>21 A: Yes.</p> <p>22 Q: Is it required by law?</p>	<p>1 going off the record. The time is 11:55.</p> <p>2 (WHEREUPON, A BRIEF RECESS WAS TAKEN.)</p> <p>3 THE VIDEOGRAPHER: Counselors,</p> <p>4 gentlemen witness, we're going back on the record.</p> <p>5 The time is 12:12.</p> <p>6 Please proceed.</p> <p>7 BY MR. NANAVALI:</p> <p>8 Q: Sam, back on, gonna try to get through</p> <p>9 a little bit more of this, and then we'll get to</p> <p>10 your report.</p> <p>11 As it relates to any training that's</p> <p>12 provided -- that was provided to the members of the</p> <p>13 Mackenzie Rose crew, based on your view of the</p> <p>14 information listed in your 26A2 disclosure, have</p> <p>15 you seen any training that was provided by Carver</p> <p>16 Management itself to the crew of the Mackenzie</p> <p>17 Rose?</p> <p>18 A: Yeah, I read the training where they</p> <p>19 have the training manuals and the training they do,</p> <p>20 yes.</p> <p>21 Q: Okay. And when -- what type of</p> <p>22 training did the management provide the crew</p>
Page 63	Page 65
<p>1 A: No.</p> <p>2 Q: Okay.</p> <p>3 MR. RODGERS: Is this a good time for a</p> <p>4 break? I think, including the 15 minutes, I think</p> <p>5 it's been about an hour, Mark.</p> <p>6 MR. NANAVALI: Yeah, that's fine by me.</p> <p>7 Can we make it kind of short? I'm trying not to</p> <p>8 keep Captain Sam here all day, if possible.</p> <p>9 MR. RODGERS: But you're having fun.</p> <p>10 MR. NANAVALI: Yeah.</p> <p>11 MR. RODGERS: All right. How about --</p> <p>12 is 10 minutes fine?</p> <p>13 MR. NANAVALI: Whatever everybody</p> <p>14 needs. I don't want anybody to be uncomfortable,</p> <p>15 but yeah.</p> <p>16 MR. RODGERS: Ten all right?</p> <p>17 MR. NANAVALI: You okay with that, Sam?</p> <p>18 THE WITNESS: Yeah, that's good.</p> <p>19 Thanks.</p> <p>20 MR. NANAVALI: All right. Okay.</p> <p>21 Thanks.</p> <p>22 THE VIDEOGRAPHER: Counselors, we're</p>	<p>1 members, and when did they provide?</p> <p>2 A: They -- it was on an ongoing basis, the</p> <p>3 training, and also the training is very various on</p> <p>4 various activities on board the vessels.</p> <p>5 Q: Okay, did you see any evidence of any</p> <p>6 training given by the management at Carver to the</p> <p>7 crew of the Mackenzie Rose related to the use of</p> <p>8 autopilot?</p> <p>9 MR. RODGERS: Objection to form.</p> <p>10 A: That's something I have never heard of</p> <p>11 doing training for is a use of autopilot. That's</p> <p>12 not something that's done in the industry. When</p> <p>13 you get aboard a vessel, that is the captain who</p> <p>14 will train himself, it's a new unit. That's not</p> <p>15 something the company would do.</p> <p>16 Q: Okay, so my question is, you did not</p> <p>17 see that here regardless of whether or not it</p> <p>18 should or shouldn't be done, correct?</p> <p>19 MR. RODGERS: Objection asked and</p> <p>20 answered.</p> <p>21 A: Like I said, that training is done on</p> <p>22 board the vessel by the captain, not the company,</p>

CAPTAIN SAMUEL STEPHENSON, J.D.

August 11, 2025

Page 66	Page 68
<p>1 nor would it be expected to be done by the company.</p> <p>2 Q: Did you see any training done by --</p> <p>3 given by management to the crew of the Mackenzie</p> <p>4 Rose related to lookouts?</p> <p>5 A: Lookout training, again, is something</p> <p>6 that would be expected that is done by the training</p> <p>7 academies the mates go to, they have to go through</p> <p>8 different training schools. And also, that is done</p> <p>9 on the vessel. Again, that's something I've never</p> <p>10 heard of with regards to shoreside training.</p> <p>11 That's not something that's done. That is done on</p> <p>12 the vessel, and it's on the job training lookout.</p> <p>13 Q: Okay, how about reporting allisions,</p> <p>14 any training provided by Carver to the crew of the</p> <p>15 Mackenzie Rose regarding Coast Guard regulations</p> <p>16 related to reporting allisions?</p> <p>17 A: They had requirements for reporting</p> <p>18 allisions. Yes.</p> <p>19 Q: Okay. And what were their</p> <p>20 requirements?</p> <p>21 A: If you can put -- if you can put the</p> <p>22 document up, that would help greatly, but they have</p>	<p>1 A: I recall man overboard. There are</p> <p>2 quite a few different subjects, allision, numerous</p> <p>3 subjects on that.</p> <p>4 Q: Okay. And generally speaking with</p> <p>5 allisions, do you recall what the training related</p> <p>6 to?</p> <p>7 (SIMULTANEOUS SPEAKING.)</p> <p>8 BY MR. NANAVATI:</p> <p>9 Q: Okay. Have you seen any testimony</p> <p>10 through depositions of any Carver management where</p> <p>11 they indicated that it was inappropriate to use</p> <p>12 autopilot when transiting a bridge, like in this</p> <p>13 particular case?</p> <p>14 A: That would not be expected because</p> <p>15 again, it is not prohibited by the code of federal</p> <p>16 regulations. And in Port Everglades, we do, and I</p> <p>17 talked to pilots throughout the country, have it</p> <p>18 listed, and they use autopilot as well.</p> <p>19 Q: Okay, but my question was, when you</p> <p>20 were -- when you reviewed the deposition</p> <p>21 transcripts of the Carver management --</p> <p>22 MR. RODGERS: Hold on. He wasn't</p>
Page 67	Page 69
<p>1 a document with regards to reporting allisions.</p> <p>2 Q: Okay. And that's in what, where did</p> <p>3 you see that, what group of documents?</p> <p>4 A: I recall as a safety management system.</p> <p>5 Q: Okay. Was there any -- did you see</p> <p>6 anything in the safety management system or any</p> <p>7 other training materials that suggested that Carver</p> <p>8 provided any training to the crew of the Mackenzie</p> <p>9 Rose regarding navigational assessments or</p> <p>10 navigational risk assessments?</p> <p>11 MR. RODGERS: Objection foundation.</p> <p>12 You can answer.</p> <p>13 A: Again, that is something that is done</p> <p>14 by the captain on board the vessel. That would be</p> <p>15 standard for that to be an onboard activity that</p> <p>16 the captain would conduct.</p> <p>17 Q: Okay, you indicated you saw some</p> <p>18 information regarding the training provided by</p> <p>19 Carver management to the crew, what subjects did</p> <p>20 you see training occur on?</p> <p>21 A: There were numerous subjects.</p> <p>22 Q: Can you give me a couple of examples?</p>	<p>1 finished answering.</p> <p>2 Q: Sorry, go ahead.</p> <p>3 A: Okay, in inland waters, and it is a</p> <p>4 procedure that is done on board vessels. And when</p> <p>5 I'm talking about vessels, I'm talking ships,</p> <p>6 tugging barges, yachts. They do use autopilot in</p> <p>7 inland waters.</p> <p>8 Q: All right, so my question was, have you</p> <p>9 read any deposition testimony from any Carver</p> <p>10 management where they testified that it was</p> <p>11 inappropriate to use autopilot in a circumstance</p> <p>12 like the one that brings us here today?</p> <p>13 A: I don't recall the words inappropriate.</p> <p>14 No.</p> <p>15 Q: Okay, how about shouldn't have used, or</p> <p>16 anything similar to that?</p> <p>17 MR. RODGERS: Objection to form.</p> <p>18 A: If I recall, there was a document where</p> <p>19 it was discussed, but I don't recall the details of</p> <p>20 the discussion in the deposition.</p> <p>21 Q: Okay, you indicated you'd interviewed</p> <p>22 folks about the use of autopilot and navigational</p>

CAPTAIN SAMUEL STEPHENSON, J.D.

August 11, 2025

Page 70	Page 72
<p>1 channels, similar to the one at issue.</p> <p>2 Have you talked to any pilots or</p> <p>3 captains that have transited the bridge that was</p> <p>4 allided with in this particular case?</p> <p>5 A: That bridge? No. Because again, it's</p> <p>6 a very specific area, and it's a -- but the bridge</p> <p>7 is -- it's a 300-foot opening, and that is not a</p> <p>8 narrow opening at all. That would be an opening</p> <p>9 for a vessel to go under.</p> <p>10 Q: I just want to be sure I understood.</p> <p>11 Have you spoken with any captains or</p> <p>12 pilots that have transited the bridge that's a</p> <p>13 subject of this litigation?</p> <p>14 A: That specific bridge? I have not.</p> <p>15 Q: Okay. And have you ever transited that</p> <p>16 bridge as a captain or a pilot?</p> <p>17 A: To my knowledge, no.</p> <p>18 Q: Okay.</p> <p>19 This particular autopilot was</p> <p>20 manufactured by a company called Simrad, correct?</p> <p>21 A: Yes.</p> <p>22 Q: Okay. And you would agree with me that</p>	<p>1 appreciate you asking. If anything else pops, you</p> <p>2 know, ask please.</p> <p>3 Q: Do you have any understanding as to the</p> <p>4 last time that the autopilot that was in use on</p> <p>5 June 15th of 2024, was either maintained or</p> <p>6 inspected by any type of third-party technical</p> <p>7 entity, you know, an electronics retailer -- excuse</p> <p>8 me, electronic maintenance entity or electronics</p> <p>9 repair entity?</p> <p>10 MR. RODGERS: Objection to form.</p> <p>11 A: The information I have reviewed.</p> <p>12 Q: I'm sorry. I didn't catch the answer.</p> <p>13 I apologize, I couldn't hear you.</p> <p>14 A: The information that I reviewed.</p> <p>15 Q: Okay. And so when was the last time</p> <p>16 that this autopilot, prior to June 15th of 2024,</p> <p>17 was either serviced or inspected?</p> <p>18 MR. RODGERS: Objection foundation, you</p> <p>19 can answer if you remember.</p> <p>20 A: I don't recall the dates. I would have</p> <p>21 to look at the documents.</p> <p>22 Q: Okay, was each member of the -- the</p>
Page 71	Page 73
<p>1 the Simrad owner's manual has some warnings related</p> <p>2 to the use of autopilot in certain circumstances,</p> <p>3 correct?</p> <p>4 A: I read what they have in their manual.</p> <p>5 Yes.</p> <p>6 Q: Okay. And are there autopilots that</p> <p>7 are manufactured by Simrad or other manufacturers</p> <p>8 that do not have similar warnings and limitations</p> <p>9 on the use of their autopilot?</p> <p>10 A: I haven't reviewed other manuals</p> <p>11 recently.</p> <p>12 Q: Okay.</p> <p>13 THE COURT REPORTER: Quick court</p> <p>14 reporter clarification.</p> <p>15 You were saying allision, right? Like</p> <p>16 A-L-L-I-S-I-O-N, like colliding with something</p> <p>17 stationary?</p> <p>18 MR. NANAVATI: You got it.</p> <p>19 THE COURT REPORTER: Okay, cool. Just</p> <p>20 wanted to make sure. It's not a term I'm super</p> <p>21 familiar with.</p> <p>22 MR. NANAVATI: Yeah, no, no. I</p>	<p>1 Mackenzie Rose crew on June 15th of 2024</p> <p>2 credentialed?</p> <p>3 A: Based on the information I have</p> <p>4 reviewed. Yes.</p> <p>5 Q: Okay, in your experience as a pilot and</p> <p>6 or a captain, have you ever had a circumstance</p> <p>7 where the autopilot on your vessel malfunctioned</p> <p>8 for some reason?</p> <p>9 A: No.</p> <p>10 Q: Okay, in your experience as a pilot and</p> <p>11 or a captain, have you ever been involved in an</p> <p>12 allision with a bridge?</p> <p>13 A: No.</p> <p>14 Q: Okay. All right. I want to ask you</p> <p>15 some questions about Exhibit 1, which is your</p> <p>16 report that we talked about earlier, okay?</p> <p>17 Do you have that handy in front of you</p> <p>18 still?</p> <p>19 A: Yes.</p> <p>20 Q: Okay, so the very first thing I want to</p> <p>21 ask you is the reports dated June 8th. And just so</p> <p>22 I understand, is June 8th the date that the initial</p>

CAPTAIN SAMUEL STEPHENSON, J.D.

August 11, 2025

Page 74	Page 76
<p>1 section was prepared, and then the rebuttal to</p> <p>2 Lewis was prepared on the later date?</p> <p>3 A: It was all prepared together.</p> <p>4 Q: Okay, so is June 8th the correct date</p> <p>5 for this report?</p> <p>6 A: Friday. Yes.</p> <p>7 MR. RODGERS: No, he's asking you about</p> <p>8 the month.</p> <p>9 A: Month?</p> <p>10 Q: This report's dated June 8th.</p> <p>11 A: That is the wrong date.</p> <p>12 Q: Okay, that's what I was asking. So,</p> <p>13 the entire report was prepared at one time.</p> <p>14 And would it be, obviously, in July --</p> <p>15 or August, actually, I'm sorry, August 8th?</p> <p>16 Is that correct?</p> <p>17 A: Yes, correct.</p> <p>18 Q: Okay.</p> <p>19 Can you turn to page five of your</p> <p>20 report, please? And section double little I, it's</p> <p>21 got your hourly rates for this particular matter,</p> <p>22 do you see that?</p>	<p>1 Q: But when you say recordings, is this</p> <p>2 like a recording of some audio of an interview, or</p> <p>3 a -- I don't know what recordings means.</p> <p>4 A: No, no.</p> <p>5 Q: So, the word recordings, should that</p> <p>6 say records?</p> <p>7 A: Or records, excuse me. Yes.</p> <p>8 Q: Okay. Okay. All right.</p> <p>9 A couple down, it says, Text messages.</p> <p>10 Do you see that?</p> <p>11 A: Yes.</p> <p>12 Q: Do you recall which text messages you</p> <p>13 reviewed? And I don't mean that you identify each</p> <p>14 one, just like either between in timeframes,</p> <p>15 basically.</p> <p>16 A: I would have to look at the documents.</p> <p>17 Q: Do you have those handy?</p> <p>18 A: No, I don't.</p> <p>19 Q: Okay.</p> <p>20 Do you have -- as we sit here today, do</p> <p>21 you have any recollection of what text messages you</p> <p>22 reviewed?</p>
Page 75	Page 77
<p>1 A: Yes.</p> <p>2 Q: Do you have any idea of how much time</p> <p>3 you have in this matter to date, either in hours or</p> <p>4 dollars?</p> <p>5 What's that? I'm sorry.</p> <p>6 A: Approximately 80 hours or so. I</p> <p>7 haven't looked recently.</p> <p>8 Q: Okay. If you turn to page nine,</p> <p>9 please.</p> <p>10 About halfway down in this list of</p> <p>11 documents, there's something called USCG</p> <p>12 Recordings, do you see that?</p> <p>13 A: Yes.</p> <p>14 Q: What are the recordings of?</p> <p>15 A: It's the information which I reviewed</p> <p>16 from the Coast Guard.</p> <p>17 Q: I'm sorry, say that again.</p> <p>18 A: The information which I reviewed from</p> <p>19 the Coast Guard.</p> <p>20 Q: And what is that information?</p> <p>21 A: Could really be anything with regards</p> <p>22 to the Coast Guard information I reviewed.</p>	<p>1 MR. RODGERS: Objection.</p> <p>2 A: Yes, they're in the report.</p> <p>3 Q: Okay, so the ones that are, you have</p> <p>4 screenshotted in the report?</p> <p>5 A: Yes.</p> <p>6 Q: Okay.</p> <p>7 Can you turn to page 10 for me, please?</p> <p>8 It's kind of the top third. It says, Loss of</p> <p>9 steering for mac deck and engine rough logs.</p> <p>10 Do you see that?</p> <p>11 A: Yes.</p> <p>12 Q: What does that refer to?</p> <p>13 A: I think the -- talking about the</p> <p>14 incident with regards to the records which they had</p> <p>15 of the incident.</p> <p>16 Q: The one that we're here for today, the</p> <p>17 June 15th, 2024, allision?</p> <p>18 A: Yes.</p> <p>19 Q: Okay.</p> <p>20 Do you recall any other loss of</p> <p>21 steering for mac deck and engine log documents</p> <p>22 other than those related to the allision we're here</p>

CAPTAIN SAMUEL STEPHENSON, J.D.

August 11, 2025

Page 78	Page 80
<p>1 for today?</p> <p>2 A: The information which I reviewed, and</p> <p>3 we discussed earlier.</p> <p>4 Q: The satellite connectivity issue?</p> <p>5 A: Yes. That was in the documents, which</p> <p>6 we discussed earlier.</p> <p>7 Q: Okay, can you turn to the next page 11,</p> <p>8 please? The second line says, "Steering failure</p> <p>9 2024."</p> <p>10 Is that referring to this allision, or</p> <p>11 something else?</p> <p>12 A: No, that would be the documents we</p> <p>13 discussed before when they lost the steering due to</p> <p>14 the satellite issue.</p> <p>15 Q: Got it.</p> <p>16 And in response to that particular</p> <p>17 situation, what, if anything, was done to identify</p> <p>18 and correct the satellite connectivity issue to</p> <p>19 your knowledge?</p> <p>20 MR. RODGERS: Objection, foundation,</p> <p>21 you can answer.</p> <p>22 A: I would want to review the documents.</p>	<p>1 connectivity issue with its autopilot?</p> <p>2 MR. RODGERS: Objection, form, you can</p> <p>3 answer if you understand.</p> <p>4 A: I would have to review the documents.</p> <p>5 Q: Okay. A couple of down says, "Witness</p> <p>6 interviews, Baldessari and J. Morrissey."</p> <p>7 Do you see that?</p> <p>8 A: Yes.</p> <p>9 Q: What are these witness interviews? Who</p> <p>10 took these interviews?</p> <p>11 If you -- I'm trying to make sure I</p> <p>12 have the interviews. I don't know what this refers</p> <p>13 to.</p> <p>14 A: I don't know who took those interviews.</p> <p>15 I wasn't there.</p> <p>16 Q: Are they written, are they transcribed,</p> <p>17 are they recorded? Can you give me some sense of</p> <p>18 what these are?</p> <p>19 A: If I recall, they were typed.</p> <p>20 Q: Typed, okay.</p> <p>21 A: You have to look at the document.</p> <p>22 Q: And when it's J. Morrissey, which</p>
Page 79	Page 81
<p>1 Again, there were so many documents in this case.</p> <p>2 I want to refresh my memory on that.</p> <p>3 Q: As we sit here today, do you recall</p> <p>4 anything in particular that was done by Carver in</p> <p>5 response to the satellite connectivity issue?</p> <p>6 MR. RODGERS: Same objection.</p> <p>7 A: I would have to look at the documents.</p> <p>8 Q: Okay, so is the answer that without</p> <p>9 looking at some documents, you don't have a</p> <p>10 recollection as to what, if anything, was done by</p> <p>11 Carver in response to the satellite connectivity</p> <p>12 issue?</p> <p>13 MR. RODGERS: Objection. Objection.</p> <p>14 Objection. Don't answer. Objection. He's already</p> <p>15 told you he needs the document.</p> <p>16 For the record, counsel is not putting</p> <p>17 the documents in front of the witness.</p> <p>18 MR. NANAVATI: I'm not -- excuse me,</p> <p>19 Jim. Let me try to ask you a different way.</p> <p>20 Q: Putting documents aside, do you have</p> <p>21 any recollection in your brain of what Carver did,</p> <p>22 if anything, in response to the satellite</p>	<p>1 Morrissey are we referring to?</p> <p>2 A: Both gave interviews.</p> <p>3 Q: And when you list here, the witness</p> <p>4 interviews, Baldessari and J. Morrissey, are you</p> <p>5 referring to both Morrisseys, or one or the other?</p> <p>6 A: It would be both.</p> <p>7 Q: Okay. And then there's -- you have an</p> <p>8 interview of Baldessari that you've reviewed?</p> <p>9 A: Yes.</p> <p>10 Q: Okay. About halfway down, there's</p> <p>11 something called Preliminary Advice.</p> <p>12 Do you see that?</p> <p>13 A: Yes.</p> <p>14 Q: What is that?</p> <p>15 A: I don't recall.</p> <p>16 Q: Okay.</p> <p>17 A: There were so many documents I went</p> <p>18 through, and I think there were 1800 pages, and I</p> <p>19 went through and what I reviewed, I put down here.</p> <p>20 Q: Yeah, and I'm not, you know, look, I</p> <p>21 mean, every witness remembers some things and don't</p> <p>22 remember others. I just didn't recognize what that</p>

CAPTAIN SAMUEL STEPHENSON, J.D.

August 11, 2025

Page 82	Page 84
<p>1 was.</p> <p>2 And if you knew, I was going to try to</p> <p>3 find out.</p> <p>4 Can you turn to page 12, please?</p> <p>5 I just want to make sure I'm clear on</p> <p>6 this. The last sentence of the assignment</p> <p>7 paragraph, which is Roman numeral three.</p> <p>8 Do you see that?</p> <p>9 A: Page 12?</p> <p>10 Q: Yeah.</p> <p>11 A: Okay, I'm on page 12.</p> <p>12 Q: Okay. And do you see the assignment</p> <p>13 paragraph? It's Roman numeral three?</p> <p>14 A: Assignment, Roman numeral three?</p> <p>15 Q: Right at the top of page 12?</p> <p>16 A: Yes.</p> <p>17 Q: Okay. And the last sentence says, "It</p> <p>18 is alleged the barge allided with the railroad</p> <p>19 bridge."</p> <p>20 You agree that it actually did allide</p> <p>21 with the railroad bridge, correct?</p> <p>22 A: That is what is alleged. Yes.</p>	<p>1 Q: And did that happen here?</p> <p>2 A: That's allegedly what happened.</p> <p>3 Q: Do you have any reason to believe that</p> <p>4 didn't happen?</p> <p>5 A: I'm just going by -- like I said,</p> <p>6 that's allegedly what happened.</p> <p>7 Q: I know, and what I'm asking you is, do</p> <p>8 you have any information to suggest that there was</p> <p>9 no contact between the barge that the Mackenzie</p> <p>10 Rose was pushing and the bridge?</p> <p>11 A: I wasn't there at the time.</p> <p>12 Q: So, you don't even know if there was an</p> <p>13 allision?</p> <p>14 A: I'm saying that's allegedly what</p> <p>15 happened. I was not there.</p> <p>16 Q: Do you have an opinion one way or the</p> <p>17 other whether or not an allision occurred on June</p> <p>18 15, 2024, between the barge being pushed by the</p> <p>19 Mackenzie Rose and the bridge owned by the</p> <p>20 Beltline?</p> <p>21 MR. RODGERS: Objection.</p> <p>22 A: Yes.</p>
Page 83	Page 85
<p>1 Q: And do you have any reason to dispute</p> <p>2 the allegation that there was an allision?</p> <p>3 MR. RODGERS: Objection. And I'd state</p> <p>4 the exact before you continue with another</p> <p>5 question.</p> <p>6 MR. NANAVATI: I'd do what?</p> <p>7 MR. RODGERS: Allision is a legal term</p> <p>8 of art, in this case. You're asking the witness</p> <p>9 for a legal term of art. Why don't you just ask</p> <p>10 him what he understands had happened.</p> <p>11 MR. NANAVATI: I don't believe allision</p> <p>12 is a legal term of art. I believe it means --</p> <p>13 MR. RODGERS: It's the third way you're</p> <p>14 trying to get everybody to agree there was an</p> <p>15 allision. But I'm objecting for that reason. You</p> <p>16 can answer it, Captain, what your understanding is.</p> <p>17 Q: Do you know what the word allision</p> <p>18 means, Captain?</p> <p>19 A: Yes.</p> <p>20 Q: What does it mean to you?</p> <p>21 A: A vessel makes contact with a fixed</p> <p>22 object.</p>	<p>1 Q: Okay. And what is your opinion?</p> <p>2 A: Contact was made.</p> <p>3 Q: Okay. A little bit further down, it</p> <p>4 says, in this case, I've been asked to opine on</p> <p>5 whether there's five kind of bullet points.</p> <p>6 Do you see that?</p> <p>7 A: Yes.</p> <p>8 Q: Okay. And the third one says,</p> <p>9 Autopilot -- again, I'm not saying that this is</p> <p>10 your opinion, but you've been asked to opine on</p> <p>11 this.</p> <p>12 Autopilot is prohibited for use while</p> <p>13 transiting a waterway with bridges.</p> <p>14 Do you see that section?</p> <p>15 A: Yes.</p> <p>16 Q: Okay, is that different than autopilot</p> <p>17 is prohibited for use while transiting a bridge?</p> <p>18 MR. RODGERS: Objection to form.</p> <p>19 A: There is no difference.</p> <p>20 Q: Okay.</p> <p>21 All right, can you go to page 15 for</p> <p>22 me, please?</p>

CAPTAIN SAMUEL STEPHENSON, J.D.

August 11, 2025

Page 86	Page 88
<p>1 So, this paragraph is entitled,</p> <p>2 Incident.</p> <p>3 Do you see that?</p> <p>4 A: Yes.</p> <p>5 Q: Okay. The third line says He, and I</p> <p>6 think that's -- you mean, Mate Morrissey, was</p> <p>7 navigating from the upper wheelhouse of the</p> <p>8 Mackenzie Rose and had the autopilot engaged as he</p> <p>9 navigated outbound the Norfolk Southern Branch to</p> <p>10 sea.</p> <p>11 Do you see that?</p> <p>12 A: Yes.</p> <p>13 Q: And I just want to go back to something</p> <p>14 we talked about before.</p> <p>15 It indicates here that he was in the</p> <p>16 upper wheelhouse. I think you answered this</p> <p>17 before, but is there any evidence that he was</p> <p>18 actually in the upper wheelhouse prior to the</p> <p>19 allision?</p> <p>20 A: Based on the information I received,</p> <p>21 yes, because that's where the crew went after the</p> <p>22 allision to talk with Mate Morrissey, was the upper</p>	<p>1 A: To my knowledge, yes.</p> <p>2 Q: Okay. And you have not spoken to him,</p> <p>3 correct?</p> <p>4 A: No.</p> <p>5 Q: Okay, that is correct?</p> <p>6 A: Correct.</p> <p>7 Q: Okay. I think I asked you about the</p> <p>8 other things in here.</p> <p>9 All right, turn to page 16 for me,</p> <p>10 please. You've got a picture on page 16. It has,</p> <p>11 I guess, three colored lines.</p> <p>12 Do you see that?</p> <p>13 A: Yes.</p> <p>14 Q: Okay. And will you describe what the</p> <p>15 yellow line means?</p> <p>16 A: The yellow line is the track the</p> <p>17 Mackenzie Rose was on as it transited from the</p> <p>18 South Norfolk Jordan Bridge to the Railroad Bridge,</p> <p>19 based on the Rose Point.</p> <p>20 Q: Okay. And the blue line?</p> <p>21 A: That is the course the vessel would</p> <p>22 have continued on.</p>
Page 87	Page 89
<p>1 wheelhouse.</p> <p>2 Q: Right. But before the allision, have</p> <p>3 you seen any statements from anybody that indicate</p> <p>4 they saw him in the upper wheelhouse?</p> <p>5 A: Again, it's based on the information,</p> <p>6 which I just told you. It was right after the</p> <p>7 allision, literally right after that, they went up</p> <p>8 to the upper wheelhouse, and he was up in the upper</p> <p>9 wheelhouse navigating, and that's where you'd</p> <p>10 expect someone to navigate a vessel from.</p> <p>11 Q: Okay.</p> <p>12 Outside of that, any other information</p> <p>13 you base that statement on?</p> <p>14 A: On the crew's depositions.</p> <p>15 Q: And in the crew's depositions, did any</p> <p>16 of them indicate that they'd seen Mate Morrissey in</p> <p>17 the wheelhouse prior to the allision?</p> <p>18 A: He was the one navigating the vessel by</p> <p>19 himself, so he would be the only one in the</p> <p>20 wheelhouse at the time.</p> <p>21 Q: Okay. And he has not been deposed,</p> <p>22 correct?</p>	<p>1 Q: What if that had not happened?</p> <p>2 A: I don't know, but I'm saying that's</p> <p>3 just a trajectory the vessel would have continued</p> <p>4 on.</p> <p>5 Q: Oh, you mean if it had stayed on the</p> <p>6 same trajectory as the yellow line, that's the</p> <p>7 yellow line extended, basically?</p> <p>8 A: Yes, correct.</p> <p>9 Q: Okay. And the blue line, the yellow</p> <p>10 line extended, looks like it transits the bridge</p> <p>11 on, I guess, the far-left side of the channel.</p> <p>12 Is that correct?</p> <p>13 A: On the westward side.</p> <p>14 Q: Yeah. And then, the red line is?</p> <p>15 A: Red line is what would be expected for</p> <p>16 a vessel to transit. It's going through the center</p> <p>17 of the bridge opening.</p> <p>18 Q: And as we sit here today, do you have</p> <p>19 any understanding as to what happened on that</p> <p>20 yellow line?</p> <p>21 It's the third blue dot where the</p> <p>22 yellow line and the blue line diverge from each</p>

CAPTAIN SAMUEL STEPHENSON, J.D.

August 11, 2025

Page 90	Page 92
<p>1 other.</p> <p>2 A: The only -- what I have is the</p> <p>3 information that I've reviewed.</p> <p>4 Q: And what does that tell you as to what</p> <p>5 happened at that third blue dot?</p> <p>6 A: I wasn't there.</p> <p>7 Q: Okay, do you have an opinion as to what</p> <p>8 more likely than not happened at that third blue</p> <p>9 dot?</p> <p>10 A: I was not aboard the vessel at that</p> <p>11 time.</p> <p>12 Q: Okay, I get that you're not a fact</p> <p>13 witness. I absolutely understand that you were not</p> <p>14 a member of the crew, but you've been called in to</p> <p>15 get some opinions regarding this allision.</p> <p>16 So, I'm trying to ask, do you have an</p> <p>17 opinion as to what happened at that third blue dot</p> <p>18 to cause the Mackenzie Rose to veer to the left?</p> <p>19 A: I don't know. Like I said, I wasn't</p> <p>20 there, and I would have to be there to have an</p> <p>21 opinion on that.</p> <p>22 Q: Okay. And as it relates to the blue</p>	<p>1 A: From the track, there was a lack of</p> <p>2 situational awareness.</p> <p>3 Q: Okay. And do you know what caused that</p> <p>4 lack of situational awareness?</p> <p>5 A: No, I wasn't there.</p> <p>6 Q: Okay. All right. If you turn to page</p> <p>7 17, please.</p> <p>8 A: Okay.</p> <p>9 Q: This looks like it relates to your</p> <p>10 first opinion, which is that the Mackenzie Rose</p> <p>11 relates to Mackenzie Rose's manning at the time of</p> <p>12 the allision.</p> <p>13 Do you see that?</p> <p>14 A: Yes.</p> <p>15 Q: Okay, with respect to the particular</p> <p>16 crew that was aboard the Mackenzie Rose, do you</p> <p>17 know whether or not any of the crew were involved</p> <p>18 in any prior near misses, collisions, or allisions</p> <p>19 that predate the June 15, 2024, allision that</p> <p>20 brings us here today?</p> <p>21 A: Mate Morrissey had an incident.</p> <p>22 Q: Okay. And when was that?</p>
Page 91	Page 93
<p>1 line, which is the yellow line extended, as I</p> <p>2 understand what you said here is that that's not</p> <p>3 really an ideal track to use to transit the bridge,</p> <p>4 even if it had gone straight. It looks like you</p> <p>5 believe the red line is the more appropriate track?</p> <p>6 MR. RODGERS: Objection form, you can</p> <p>7 answer.</p> <p>8 Q: Is that what you're saying?</p> <p>9 A: The red line would be the appropriate</p> <p>10 track for a vessel to follow to go underneath the</p> <p>11 bridge.</p> <p>12 Q: Okay. And do you have any</p> <p>13 understanding or opinion as to what happened at the</p> <p>14 first dot that got the Mackenzie Rose heading to</p> <p>15 the west rather than the center of the bridge at</p> <p>16 issue?</p> <p>17 A: Again, I wasn't on board.</p> <p>18 Q: Okay.</p> <p>19 And similarly, you do not have an</p> <p>20 opinion in that regard?</p> <p>21 A: Again, I wasn't on board the vessel.</p> <p>22 Q: Yeah, go ahead. Sorry.</p>	<p>1 A: I don't recall the exact date. I'd</p> <p>2 have to look at the document.</p> <p>3 Q: Okay. And do you have a general</p> <p>4 recollection of what the incident was?</p> <p>5 A: Yes.</p> <p>6 Q: And what was that?</p> <p>7 A: He landed on a pier, which does happen.</p> <p>8 If I recall, the current was running strong, and it</p> <p>9 was pretty windy, and that does happen for a vessel</p> <p>10 to land on the edge of a pier, either on departure</p> <p>11 or arrival.</p> <p>12 Q: Okay, have you seen any investigation</p> <p>13 into that incident by Carver to determine what the</p> <p>14 cause of that particular incident was and whether</p> <p>15 or not Mate Morrissey either did everything</p> <p>16 correctly or incorrectly or something in between?</p> <p>17 A: I have to read the evidence or the</p> <p>18 information which was given to me.</p> <p>19 Q: Okay. And so my question is, I haven't</p> <p>20 seen this, so I can't show you this, but have you</p> <p>21 seen any type of investigation by Carver into that</p> <p>22 incident so that they can make a determination as</p>

CAPTAIN SAMUEL STEPHENSON, J.D.

August 11, 2025

Page 94	Page 96
<p>1 to what caused that particular incident?</p> <p>2 Q: I've seen the information.</p> <p>3 MR. RODGERS: Objection to form, can</p> <p>4 you define investigation?</p> <p>5 MR. NANAVATI: You can answer.</p> <p>6 MR. RODGERS: Okay, don't define it.</p> <p>7 Go ahead. Answer it.</p> <p>8 A: I have seen the information Carver had</p> <p>9 in the report regarding the incident.</p> <p>10 Q: Okay. And outside of that report, have</p> <p>11 you seen, for instance, witness interviews done by</p> <p>12 Carver and the crew?</p> <p>13 A: With regards to Mate Morrissey's making</p> <p>14 contact?</p> <p>15 Q: Yes, sir.</p> <p>16 A: No. I've seen the Coast Guard 2692.</p> <p>17 Q: Okay. And outside of that, you haven't</p> <p>18 seen any other information related to an</p> <p>19 investigation by Carver into the cause of that</p> <p>20 particular incident, correct?</p> <p>21 A: Yes, because, again, if it's a small</p> <p>22 incident like that, normally there won't be an</p>	<p>1 This relates to the lookout issue.</p> <p>2 Do you see that, section two?</p> <p>3 A: Yes.</p> <p>4 Q: Okay. And as I gleaned it in this</p> <p>5 matter, you're of the opinion that the watch</p> <p>6 officer in this case was Mate Morrissey, was an</p> <p>7 appropriate lookout given the circumstances of the</p> <p>8 allision?</p> <p>9 A: That's customary based on industry</p> <p>10 standards.</p> <p>11 Q: But I mean, is that your opinion in</p> <p>12 this case?</p> <p>13 A: That he was the lookout?</p> <p>14 Q: And that -- yes, number one and number</p> <p>15 two, that that was appropriate given the</p> <p>16 circumstances of this situation?</p> <p>17 A: Yes.</p> <p>18 Q: Okay.</p> <p>19 Under what circumstances, in your view,</p> <p>20 is it appropriate to have somebody else -- somebody</p> <p>21 other than, for instance, in this case, Mate</p> <p>22 Morrissey, operate as the lookout?</p>
Page 95	Page 97
<p>1 investigation.</p> <p>2 Q: Do you have any understanding as to</p> <p>3 whether or not the Coast Guard has completed its</p> <p>4 investigation into that incident?</p> <p>5 MR. RODGERS: Objection to form,</p> <p>6 foundation. You can answer.</p> <p>7 A: Just based on the information I have</p> <p>8 reviewed.</p> <p>9 Q: And what -- so what is -- that they</p> <p>10 have completed, or they have not completed?</p> <p>11 MR. RODGERS: Objection to form,</p> <p>12 foundation.</p> <p>13 A: It's a 2692 form which was submitted to</p> <p>14 the Coast Guard, and that's what I reviewed.</p> <p>15 Q: Okay. And do you know one way or the</p> <p>16 other whether or not the Coast Guard's</p> <p>17 investigation into that incident is ongoing?</p> <p>18 MR. RODGERS: Objection, foundation.</p> <p>19 You can answer.</p> <p>20 A: I can't answer that question. I don't</p> <p>21 have that information.</p> <p>22 Q: Okay. Turn to page 19, please.</p>	<p>1 A: So, you're talking about having a</p> <p>2 second lookout?</p> <p>3 Q: Yes.</p> <p>4 A: Normally, that will be done if it's a</p> <p>5 vessel that's in restricted visibility. If the</p> <p>6 vessel has a very high bow, like I'm talking a</p> <p>7 ship, to have a lookout on the bow because there's</p> <p>8 a line-of-sight issue there, you cannot see vessels</p> <p>9 right underneath the bow. If a vessel is in waters</p> <p>10 which, say, are not marked on the chart, such as a</p> <p>11 shoaling, you may have a lookout up there. And</p> <p>12 then it's also specified in the -- if there's</p> <p>13 hazards to navigation, any real dangers to</p> <p>14 navigation, anything like that, there will be a</p> <p>15 second lookout.</p> <p>16 But when you're navigating on a vessel</p> <p>17 like the Mackenzie Rose, which has an upper</p> <p>18 wheelhouse, 360-degree visibility, it is not</p> <p>19 standard to have a second lookout, nor is the</p> <p>20 vessel manned for a second lookout. It would have</p> <p>21 to be additional people on board to have a second</p> <p>22 lookout, in this case, for the bridges which are</p>

CAPTAIN SAMUEL STEPHENSON, J.D.

August 11, 2025

Page 98	Page 100
<p>1 going under, stay within the rest work</p> <p>2 requirements.</p> <p>3 Q: Just on that kind of a question,</p> <p>4 Jarkeis Morrissey, was he not available to serve as</p> <p>5 a lookout if needed?</p> <p>6 A: He's there on standby, but it's not</p> <p>7 customary to have someone looking out when it's not</p> <p>8 necessary. In my opinion, the weather was very</p> <p>9 good. The visibility was clear. There was low</p> <p>10 vessel traffic. There would be no reason at all to</p> <p>11 have an additional lookout at that point because,</p> <p>12 to get down to it, Morrissey, where he was on the</p> <p>13 bridge of the vessel, in the upper wheelhouse, was</p> <p>14 able to make a full appraisal of the situation. It</p> <p>15 wasn't like he had restricted visibility or</p> <p>16 anything.</p> <p>17 Q: So, the second part, you indicated</p> <p>18 nobody was available to be a second lookout,</p> <p>19 consistent with Coast Guard regulations regarding</p> <p>20 hours. I just want to be clear, Jarkeis Morrissey</p> <p>21 was available if needed, correct?</p> <p>22 A: Yes. What I'm saying is, if you had an</p>	<p>1 surveillance on the day of the incident, there</p> <p>2 would be no issue with visibility, and the mate on</p> <p>3 watch, which is Morrissey, would be able to make a</p> <p>4 full appraisal of the situation.</p> <p>5 Q: Have you seen any photos from the</p> <p>6 wheelhouse showing the visibility from the</p> <p>7 wheelhouse with a barge like the Weeks made up on</p> <p>8 the tug?</p> <p>9 A: From the wheelhouse?</p> <p>10 Q: Yes, sir.</p> <p>11 A: In my opinion, I saw photos from the</p> <p>12 surveillance camera, and it would make no</p> <p>13 difference. I'm on ships all the time. I can tell</p> <p>14 you the visibility was excellent up there,</p> <p>15 especially if you're looking to go through a</p> <p>16 bridge.</p> <p>17 It's not like we're looking for a small</p> <p>18 railboat. This is a bridge. This will definitely</p> <p>19 stick out on a wheelhouse like that, and even a</p> <p>20 small boat on that bridge is so high up, and he had</p> <p>21 excellent visibility, in my opinion.</p> <p>22 There's no reason for an additional</p>
Page 99	Page 101
<p>1 additional lookout when the vessel is navigating at</p> <p>2 all times, it would have to have more crew members</p> <p>3 on board. If you had a two-man watch, it's called.</p> <p>4 Q: As it relates to the ability to see</p> <p>5 clearly from the upper wheelhouse, have you</p> <p>6 inspected that particular vessel when it has a</p> <p>7 barge made up in front of it to see what that view</p> <p>8 looks like from the wheelhouse across the bow of</p> <p>9 the barge?</p> <p>10 A: I looked at the photos -- or the video</p> <p>11 on the day of the incident, and the visibility, in</p> <p>12 my opinion, was very good, and he would definitely</p> <p>13 have seen a bridge. He would have definitely seen</p> <p>14 a bridge up there from the upper wheelhouse. It</p> <p>15 would be very hard to miss a railroad bridge.</p> <p>16 Q: But my question is a little bit</p> <p>17 different.</p> <p>18 Have you inspected that particular tug</p> <p>19 when it's made up with a barge, like the Weeks?</p> <p>20 A: I inspected the tug. I was not there</p> <p>21 when there was a barge made up, but my opinion</p> <p>22 would make no difference because looking at the</p>	<p>1 lookout.</p> <p>2 Q: I understand your opinion, but I'm</p> <p>3 right out to ask you about the bases.</p> <p>4 Have you seen any photos taken from the</p> <p>5 wheelhouse out over the Mackenzie Rose when it's</p> <p>6 made up with a barge like it was on June 15, 2024?</p> <p>7 A: No, sir.</p> <p>8 Q: Okay.</p> <p>9 THE COURT REPORTER: Court reporter</p> <p>10 clarification, were you saying Weeks?</p> <p>11 MR. NANAVATI: Yeah. I think it's</p> <p>12 W-E-E-K-S.</p> <p>13 THE COURT REPORTER: Okay. And one</p> <p>14 more as well. Can you spell -- I think you said</p> <p>15 the name Jarkeis?</p> <p>16 MR. NANAVATI: Yeah, I might get this</p> <p>17 wrong, but I think it's J-A-R-K-E-I-S.</p> <p>18 THE COURT REPORTER: Thank you.</p> <p>19 BY MR. NANAVATI:</p> <p>20 Q: All right. Do you consider a bridge</p> <p>21 like the bridge that was at issue here to be an</p> <p>22 obstruction to navigation?</p>

CAPTAIN SAMUEL STEPHENSON, J.D.

August 11, 2025

Page 102	Page 104
<p>1 A: No.</p> <p>2 Q: Okay. And do you consider a bridge</p> <p>3 like the bridge at issue here to be a danger to</p> <p>4 navigation?</p> <p>5 A: No, it's marked on the chart. There's</p> <p>6 no danger to navigation.</p> <p>7 Q: Okay, do you consider a bridge like the</p> <p>8 one at issue here to be a potential hazard to safe</p> <p>9 navigation?</p> <p>10 A: No.</p> <p>11 Q: Okay.</p> <p>12 In this particular matter, the bridge</p> <p>13 did, in fact, turn out to be an obstruction to the</p> <p>14 Mackenzie Rose's navigation, correct?</p> <p>15 MR. RODGERS: Objection, you can answer</p> <p>16 if you understand.</p> <p>17 A: I would disagree with that.</p> <p>18 Q: So, the bridge did not stop the</p> <p>19 Mackenzie Rose from navigating along the path that</p> <p>20 it was on?</p> <p>21 MR. RODGERS: Objection, harassment,</p> <p>22 you can answer.</p>	<p>1 Q: Okay, does the CFR regulate the crew,</p> <p>2 and in this case, Mate Morrissey, or does it</p> <p>3 regulate the owner of the vessel, in this case,</p> <p>4 Carver?</p> <p>5 MR. RODGERS: Objection to form.</p> <p>6 THE WITNESS: I'm a little confused.</p> <p>7 Could you repeat the question?</p> <p>8 MR. NANAVATI: Yeah.</p> <p>9 Q: Is the CFR applicable in this</p> <p>10 particular incident to Mate Morrissey and the crew,</p> <p>11 or does the CFR control the acts and omissions of</p> <p>12 the owner of the vessel as well?</p> <p>13 A: If we read the CFR, it says, Throughout</p> <p>14 the trip or voyage, a master and officer in charge</p> <p>15 of navigation watch must assess requirement for a</p> <p>16 lookout. That decision is left up to the master</p> <p>17 and the officer of the watch.</p> <p>18 Q: Okay, is there anything in the CFRs</p> <p>19 that prevents the owner of a vessel or the operator</p> <p>20 of a vessel from setting its own rules, safety</p> <p>21 guidance for its crew based on its crew, its</p> <p>22 vessel, and its navigation systems?</p>
Page 103	Page 105
<p>1 A: I don't think you can call the bridge</p> <p>2 an obstruction. In my opinion, it's not an</p> <p>3 obstruction. It's a fixture.</p> <p>4 Q: Okay, you indicated that there was not</p> <p>5 a lot of vessel traffic in the area of the</p> <p>6 Mackenzie Rose on the date of this allision.</p> <p>7 What do you base that upon?</p> <p>8 A: It's based on the surveillance video.</p> <p>9 Q: Okay, anything else?</p> <p>10 If I recall, the Rose Point showed no</p> <p>11 traffic either.</p> <p>12 Q: Okay, anything else that you recall?</p> <p>13 A: No.</p> <p>14 Q: Okay.</p> <p>15 As it relates to the use of a lookout</p> <p>16 on page 22 of your report, you indicate that the</p> <p>17 CFRs are consistent with, in essence, your opinion</p> <p>18 that it's not required, but for certain</p> <p>19 circumstances.</p> <p>20 Do you see that?</p> <p>21 MR. RODGERS: Objection.</p> <p>22 A: Yes.</p>	<p>1 MR. RODGERS: Objection to form.</p> <p>2 A: I'm trying to understand what you're</p> <p>3 saying.</p> <p>4 I think you're saying, who would be in</p> <p>5 charge of setting up the lookout? And it's very</p> <p>6 clear in the CFR that is the master and the officer</p> <p>7 in charge of the navigational watch.</p> <p>8 Q: My question is a little bit different</p> <p>9 than that.</p> <p>10 Is there anything in the CFR that</p> <p>11 prevents the owner or operator of a vessel from</p> <p>12 setting safety guidelines that are, in essence,</p> <p>13 more stringent than the CFR based on its particular</p> <p>14 knowledge of its vessel, its crew, and the</p> <p>15 equipment on the vessel?</p> <p>16 MR. RODGERS: Objection asked and</p> <p>17 answered.</p> <p>18 A: I think I answered it.</p> <p>19 The CFR is very clear that it's not the</p> <p>20 company which makes these decisions. It is the</p> <p>21 master and the officers in charge of the watch.</p> <p>22 Q: And so, that's an answer, but not to my</p>

CAPTAIN SAMUEL STEPHENSON, J.D.

August 11, 2025

Page 106	Page 108
<p>1 question.</p> <p>2 My question is, is there anything in</p> <p>3 the CFR that prohibits the owner or the operator of</p> <p>4 the vessel from setting forth or making safety</p> <p>5 guidelines that are more stringent than the CFR</p> <p>6 based on its particular knowledge of its vessel,</p> <p>7 the equipment on its vessel, and its crew?</p> <p>8 MR. RODGERS: Same objection.</p> <p>9 A: The company could do what it likes, but</p> <p>10 it is customary and industry standard for a vessel</p> <p>11 like the Mackenzie Rose to have one lookout while</p> <p>12 navigating in inland waters. That's standard</p> <p>13 procedure. It's customary.</p> <p>14 I've been on thousands of vessels, and</p> <p>15 these are the customs and procedures of the</p> <p>16 vessels.</p> <p>17 Q: But there's nothing in the CFR to</p> <p>18 prohibit a company from saying on our vessel, we</p> <p>19 always want to have a second lookout?</p> <p>20 MR. RODGERS: Objection to form.</p> <p>21 A: That would be up to the company.</p> <p>22 Q: And similarly, as it relates to</p>	<p>1 question. I answered it for him.</p> <p>2 Q: Can you turn to page 23, please?</p> <p>3 So, this is under procedures on page</p> <p>4 23. Do you see that?</p> <p>5 A: Yes.</p> <p>6 Q: Okay. Let's go back here one second.</p> <p>7 You've reviewed the master's daily</p> <p>8 reports and master's daily vessel reports, correct?</p> <p>9 A: Yes.</p> <p>10 Q: In the reports that predate June 15,</p> <p>11 2024, is the lookout section ever completed on any</p> <p>12 of those reports?</p> <p>13 A: I would have to look at the report. I</p> <p>14 don't recall.</p> <p>15 Q: Okay, should the lookout section be</p> <p>16 completed on those reports?</p> <p>17 A: I don't know what the criteria are for</p> <p>18 doing those reports.</p> <p>19 Q: Okay. And do you know what the purpose</p> <p>20 of the reports are generally?</p> <p>21 A: For a log?</p> <p>22 Q: Yes.</p>
Page 107	Page 109
<p>1 autopilot, there's nothing to prevent a company</p> <p>2 from saying on our vessel, given the type of</p> <p>3 autopilot that we have on that vessel, you cannot</p> <p>4 use autopilot in narrow waterways, for instance?</p> <p>5 MR. RODGERS: Objection to form.</p> <p>6 A: In my opinion, that makes no sense</p> <p>7 because, one, it's not prohibited by the CFRs.</p> <p>8 Two, it is a practice where autopilot is used on</p> <p>9 inland waters, so I don't know why a company would</p> <p>10 do that. It doesn't make sense.</p> <p>11 They put that piece of equipment on the</p> <p>12 vessel for a reason. Why would you then prohibit</p> <p>13 it from being used in inland waters?</p> <p>14 Q: Well, presumably, if you bought an</p> <p>15 autopilot system where the manufacturer said, don't</p> <p>16 use this autopilot under certain circumstances, it</p> <p>17 may be something you would tell your crew, don't</p> <p>18 use autopilot under these circumstances, even if</p> <p>19 otherwise permitted under the CFR. I think that's</p> <p>20 -- if you're asking me, that's the answer.</p> <p>21 MR. RODGERS: Is that a question?</p> <p>22 MR. NANAVATI: No, he asked me a</p>	<p>1 A: It's a history of the vessel.</p> <p>2 Q: Okay. And do the logs in this for</p> <p>3 Carver go to Carver to review?</p> <p>4 A: To my knowledge, yes.</p> <p>5 Q: Okay. And should Carver review the</p> <p>6 logs to ensure safe operation of its vessels?</p> <p>7 MR. RODGERS: Objection, be more</p> <p>8 precise on Carver.</p> <p>9 A: What do you mean by Carver?</p> <p>10 Q: The management at Carver, whoever's</p> <p>11 responsible for vessel operation and safety, when</p> <p>12 they review the logs, is there a reason to review</p> <p>13 the logs?</p> <p>14 A: I can't answer that question. I don't</p> <p>15 work for Carver.</p> <p>16 Q: Okay, in your experience as a captain</p> <p>17 and a pilot, what happens to the logs that are</p> <p>18 prepared, where do they go?</p> <p>19 A: The logs, they stay on the vessel, and</p> <p>20 they're put into a room, kept for X number of</p> <p>21 years, and then they're discarded.</p> <p>22 Q: Even electronic logs, are they</p>

CAPTAIN SAMUEL STEPHENSON, J.D.

August 11, 2025

<p style="text-align: right;">Page 110</p> <p>1 similarly just kept on the vessel, or are they</p> <p>2 accessible to the operator?</p> <p>3 A: That's how we did it. It was kept on</p> <p>4 the vessel.</p> <p>5 Q: Okay, have you captained a ship or</p> <p>6 piloted a ship where the logs are electronic?</p> <p>7 A: Piloted a ship, yes.</p> <p>8 Q: Okay. And in those circumstances, are</p> <p>9 you aware of what happens to the electronic logs</p> <p>10 and or who has accessibility to them?</p> <p>11 A: I don't pay attention to that, no.</p> <p>12 Q: Okay.</p> <p>13 In this particular opinion, too, you've</p> <p>14 got a lookout should be added when necessary, too,</p> <p>15 and you've got a couple bullet points below it.</p> <p>16 Do you see that?</p> <p>17 A: Yes.</p> <p>18 Q: Okay, as it relates to maintaining a</p> <p>19 state of vigilance or appraising the situation for</p> <p>20 the risk of allision or detecting any potential</p> <p>21 hazards, do you know whether or not that was done</p> <p>22 on the Mackenzie Rose before the start of this</p>	<p style="text-align: right;">Page 112</p> <p>1 Q: Okay. And if, for instance, the</p> <p>2 captain, or in this case, Mate Morrissey, was not</p> <p>3 in the wheelhouse or was doing something other than</p> <p>4 looking out and maintaining a state of vigilance,</p> <p>5 would that be a time when you call upon a second</p> <p>6 lookout?</p> <p>7 MR. RODGERS: Objection foundation.</p> <p>8 A: So, I'm a little confused by the</p> <p>9 question.</p> <p>10 So, you're saying Mate Morrissey is the</p> <p>11 lookout?</p> <p>12 Q: Yeah. For some reason, you indicated</p> <p>13 he was not maintaining situational awareness. So</p> <p>14 presumably, he probably wasn't looking out and ran</p> <p>15 right into the side of a bridge.</p> <p>16 Those are circumstances that would</p> <p>17 require a second lookout, correct?</p> <p>18 MR. RODGERS: Objection.</p> <p>19 A: First, he was able to, if you go back</p> <p>20 to the definition of lookout, let's go right back</p> <p>21 there. From up where he was on the upper</p> <p>22 wheelhouse of the vessel, he had 360-degree</p>
<p style="text-align: right;">Page 111</p> <p>1 particular voyage?</p> <p>2 A: Can you repeat that?</p> <p>3 Q: Yeah. These particular bullet points</p> <p>4 you have here, which would suggest the need for a</p> <p>5 second lookout in certain circumstances, do you</p> <p>6 know whether or not that assessment was done by</p> <p>7 anybody on the Mackenzie Rose prior to the voyage</p> <p>8 at issue?</p> <p>9 A: That's not something you do before you</p> <p>10 leave the dock. A lookout is when a vessel leaves</p> <p>11 the dock, at the time you leave the dock, and it</p> <p>12 can be beautiful weather, and 10 minutes later,</p> <p>13 there may be fog. At that point, you'll post an</p> <p>14 additional lookout.</p> <p>15 But assessment, when you're on the</p> <p>16 vessel, it's very dynamic, so the conditions are</p> <p>17 changing on a regular basis. So, if a lookout</p> <p>18 needs to be posted, a lookout is added, but it's</p> <p>19 not something that's done before the voyage saying,</p> <p>20 we're going to have a lookout here, we're going to</p> <p>21 have a lookout there. It's done as needed on a</p> <p>22 vessel.</p>	<p style="text-align: right;">Page 113</p> <p>1 visibility. He was able to make a full appraisal</p> <p>2 of the situation and of the risk of collision. He</p> <p>3 was able to do that up there. There's no question</p> <p>4 in my mind he could not.</p> <p>5 My opinion, he was able to look around.</p> <p>6 The wheelhouse is very high on that vessel, the</p> <p>7 upper wheelhouse. He could definitely see a</p> <p>8 bridge. And from there, he could make a full</p> <p>9 appraisal of the situation. Another lookout is</p> <p>10 added when, I'll say, the mate on watch in an upper</p> <p>11 wheelhouse like that cannot make a full appraisal</p> <p>12 of the situation.</p> <p>13 Q: I'm just reading your report. It says</p> <p>14 a lookout should be added when necessary to</p> <p>15 maintain a state of vigilance.</p> <p>16 Do you see that?</p> <p>17 A: Yes.</p> <p>18 Q: If Mate Morrissey was not able to</p> <p>19 maintain situational awareness for whatever reason,</p> <p>20 should a second lookout have been added?</p> <p>21 A: It's expected that a captain -- Mate</p> <p>22 Morrissey has his captain's license, a captain over</p>

CAPTAIN SAMUEL STEPHENSON, J.D.

August 11, 2025

<p style="text-align: right;">Page 114</p> <p>1 three and a half years, that he would maintain a</p> <p>2 state of vigilance. That is expected when you have</p> <p>3 someone on watch. And that's why he's been</p> <p>4 licensed by the U.S. Coast Guard. You're putting</p> <p>5 him on watch up there. He's been certified by the</p> <p>6 Coast Guard that he will be the mate on watch, and</p> <p>7 he can make decisions on his own. So, that would</p> <p>8 be up to him to decide if he needed another lookout</p> <p>9 or not. That's up to the mate and the captain.</p> <p>10 Q: Okay, do you have an opinion as to</p> <p>11 whether or not Mate Morrissey maintained a state of</p> <p>12 vigilance as he approached the Beltline Bridge at</p> <p>13 issue in this matter?</p> <p>14 A: I wasn't on the bridge. I don't know</p> <p>15 what Mate Morrissey was thinking at the time.</p> <p>16 Q: Okay. Turn to page 24, please. I'm</p> <p>17 sorry. I moved that a little bit further. I</p> <p>18 already asked you that. 26, please.</p> <p>19 This is the use of autopilot section.</p> <p>20 I think I've already asked you this,</p> <p>21 but there's nothing in the CFR that would prohibit</p> <p>22 Carver from telling its crew not to use the</p>	<p style="text-align: right;">Page 116</p> <p>1 the autopilot holds a better course than a human</p> <p>2 helmsman steering the vessel. And I don't</p> <p>3 understand why they would do that when they're</p> <p>4 putting the equipment on, and it's standard</p> <p>5 customary procedure aboard vessels to use</p> <p>6 autopilot. I don't understand that.</p> <p>7 Q: Yeah, go ahead. Sorry, I didn't mean</p> <p>8 to cut you off.</p> <p>9 A: But in this situation, talking about</p> <p>10 autopilot, that would be up to the company.</p> <p>11 Q: Okay, so if a company had some</p> <p>12 understanding, some particular limitations on the</p> <p>13 equipment on its vessels, they could take that into</p> <p>14 consideration in creating their own autopilot rules</p> <p>15 and regulations, fair?</p> <p>16 MR. RODGERS: Objection foundation.</p> <p>17 A: Yes, but again, if you look at the</p> <p>18 CFRs, it's very clear that it's up to the master</p> <p>19 with regards to the requirements for autopilot, to</p> <p>20 use autopilot or not. And you can use the</p> <p>21 autopilot in areas of high traffic density,</p> <p>22 conditions of restrictive visibility or any other</p>
<p style="text-align: right;">Page 115</p> <p>1 autopilot in narrow waters, correct?</p> <p>2 MR. RODGERS: Objection to form,</p> <p>3 foundation.</p> <p>4 A: That decision is left up to the</p> <p>5 captain. It's very clear in the CFRs that decision</p> <p>6 is left up to the captain.</p> <p>7 Q: Is there anything in the CFR that would</p> <p>8 prevent an owner from telling a captain of one of</p> <p>9 its vessels that it does not permit the use of</p> <p>10 autopilot in narrow waters or while transiting</p> <p>11 bridges?</p> <p>12 A: Is there anything in the CFR that</p> <p>13 prohibits it? The CFRs don't tell companies what</p> <p>14 they can do, and they can't do in this situation.</p> <p>15 Q: Right. So, Carver, if they'd wanted</p> <p>16 to, I'm not saying they did, but Carver, if they'd</p> <p>17 wanted to, could tell its crews that Carver's</p> <p>18 company policy is no autopilot in narrow waters,</p> <p>19 for instance.</p> <p>20 MR. RODGERS: Objection to form.</p> <p>21 A: In my opinion, that would make no</p> <p>22 sense. Carver put an autopilot on for a reason,</p>	<p style="text-align: right;">Page 117</p> <p>1 hazardous situation so long as they comply with the</p> <p>2 CFRs.</p> <p>3 And that's up to the captain to make</p> <p>4 sure the vessel is complying with the CFRs.</p> <p>5 Q: Okay, if you turn to page 28 for me,</p> <p>6 please.</p> <p>7 It indicates that the distance between</p> <p>8 the fenders of the Norfolk and Portsmouth Beltline</p> <p>9 Railroad Bridge was approximately 330 feet.</p> <p>10 Do you see that?</p> <p>11 A: Yes.</p> <p>12 Q: Where did you get that measurement?</p> <p>13 A: It's from Google Earth, and also the</p> <p>14 Garmin Navionics Unit. It was the same measurement</p> <p>15 between the two.</p> <p>16</p> <p>17 Q: Okay, bottom of page 28. It says, "The</p> <p>18 evidence clearly establishes that Mate Morrissey's</p> <p>19 initial statement that the autopilot malfunction</p> <p>20 was false."</p> <p>21 You see that?</p> <p>22 A: Yes.</p>

CAPTAIN SAMUEL STEPHENSON, J.D.

August 11, 2025

Page 118	Page 120
<p>1 Q: And it looks like that's, and correct</p> <p>2 me if I'm wrong, but that's based on inconsistent</p> <p>3 or different statements made by Mate Morrissey</p> <p>4 after the initial statement was made.</p> <p>5 Is that correct?</p> <p>6 A: Well, it's based on the incident</p> <p>7 report. It's based on the USCG 2692 form, and also</p> <p>8 the text message.</p> <p>9 Q: Okay, do you know who completed the USG</p> <p>10 2692?</p> <p>11 A: No, I do not recall. I'd have to --</p> <p>12 MR. RODGERS: He only has a screenshot</p> <p>13 of the relevant language, Mark.</p> <p>14 Q: Do you have any reason to believe Mate</p> <p>15 Morrissey completed and filed the CG 2692?</p> <p>16 MR. RODGERS: You could put it in front</p> <p>17 of him, and he would see who filled it out, Mark,</p> <p>18 as opposed to --</p> <p>19 THE WITNESS: Let me pull it up. I</p> <p>20 have it in here.</p> <p>21 MR. NANAVATI: Please.</p> <p>22 MR. RODGERS: Really, Mark, you're not</p>	<p>1 BY MR. NANAVATI:</p> <p>2 Q: Okay. And can you tell me who</p> <p>3 submitted that report?</p> <p>4 A: The first 2692 was by Brian Moore.</p> <p>5 Q: Okay. And is that the one that you're</p> <p>6 relying on in this particular section regarding the</p> <p>7 inconsistencies of the reports by Mate Morrissey?</p> <p>8 A: Well, two of them were submitted. Let</p> <p>9 me back up there. The first one was submitted by</p> <p>10 Leonard Baldessari.</p> <p>11 Q: Okay. And then the other one you said</p> <p>12 was Brian Moore?</p> <p>13 A: Yes.</p> <p>14 Q: Okay. And then you also referenced the</p> <p>15 text message, which I think you have cut and pasted</p> <p>16 on page 30 of your report?</p> <p>17 A: Yes.</p> <p>18 Q: Okay. And you indicate that's a text</p> <p>19 message from Captain Miller to Brian Moore related</p> <p>20 to, I guess, Morrissey's interview with the Coast</p> <p>21 Guard?</p> <p>22 A: It says on there, so I'm not going to</p>
Page 119	Page 121
<p>1 going to put it in front of him?</p> <p>2 MR. NANAVATI: Not my job to answer</p> <p>3 questions for him, Jim.</p> <p>4 MR. RODGERS: It is your job to put a</p> <p>5 document in front of him that's a complete</p> <p>6 document, especially when you're asking about a</p> <p>7 part that's not in his report. But whatever, I</p> <p>8 object to this entire line of questioning.</p> <p>9 Just after this question, Mark, can we</p> <p>10 take a break then? I'm not sure how much you have,</p> <p>11 but I think it's been an hour.</p> <p>12 MR. NANAVATI: If you don't mind, we</p> <p>13 just get to this one section, so I don't lose my</p> <p>14 train of thought, and then take the break.</p> <p>15 MR. RODGERS: That's fine.</p> <p>16 MR. NANAVATI: Okay, thank you.</p> <p>17 MR. RODGERS: Five-minute one.</p> <p>18 MR. NANAVATI: Yeah, that's about</p> <p>19 right.</p> <p>20 MR. RODGERS: To use the restroom.</p> <p>21 THE WITNESS: I have the report in</p> <p>22 front of me.</p>	<p>1 -- I don't know who exactly did that text message.</p> <p>2 Q: Okay, but you got in here in several</p> <p>3 places that it's a message. If you look at your</p> <p>4 paragraph there and it's in other places that this</p> <p>5 was a message from the vessel to Moore, correct?</p> <p>6 A: Yes.</p> <p>7 Q: But if you look at the text message</p> <p>8 itself, it's from Brian Moore to somebody, correct?</p> <p>9 A: Correct.</p> <p>10 Q: Okay, so this isn't a text message from</p> <p>11 Captain Miller or the vessel regarding what</p> <p>12 happened, right?</p> <p>13 MR. RODGERS: Objection, the document</p> <p>14 speaks for itself.</p> <p>15 A: Yes, that was afterwards.</p> <p>16 Q: Okay, have you seen any statement from</p> <p>17 Captain -- from Mate Morrissey, other than the</p> <p>18 original one, that indicated there was a</p> <p>19 malfunction in the autopilot that's attributed --</p> <p>20 that's directly from him rather than somebody else</p> <p>21 saying what he said.</p> <p>22 MR. RODGERS: Objection to the form.</p>

CAPTAIN SAMUEL STEPHENSON, J.D.

August 11, 2025

Page 122	Page 124
<p>1 A: With regards to the crew statements, 2 Mate Morrissey was telling different stories pretty 3 much to every crew member. One of them, he 4 mentioned the vessel went, he had a steering issue, 5 but then he had a different statement, he told some 6 of the crew everything was fine. 7 His statement was very, very 8 inconsistent. 9 Q: Okay. Well, my question is, you've 10 seen a direct statement attributed to Mate 11 Morrissey where he indicates there was an autopilot 12 issue, correct? 13 MR. RODGERS: Objection, what do you 14 mean by direct? 15 MR. NANAVATI: That Morrissey authored. 16 MR. RODGERS: You know, Mark, if you 17 didn't do your homework, I can't help you, but he's 18 not going to answer something without a document in 19 front of him, and a witness should not be the one 20 getting the documents. If you have a statement 21 that you're specifically referring to, please put 22 it in front of the witness.</p>	<p>1 2692 form below that, correct? 2 A: That's correct. Yes. 3 Q: And that was similarly logged by 4 somebody other than Mate Morrissey, correct? 5 A: That was done by -- 6 Q: Either Baldessari or Moore, correct? 7 A: No, it was done by Moore, Brian Moore. 8 Q: Okay. Yeah. 9 And then, you've got a text message 10 that you attribute to being an inconsistency for 11 Mate Morrissey, but that was authored by Brian 12 Moore as well, correct? 13 A: It's from Brian Moore. 14 Q: Okay. And then if you look down 15 towards the bottom of page 30, you've got a 16 statement that says Mate Morrissey was able to, and 17 did switch from manual, parentheses, end 18 parentheses, out hand steering prior to the 19 incident. 20 Do you see that? 21 A: Yeah, that's based on the evidence 22 above.</p>
Page 123	Page 125
<p>1 MR. NANAVATI: Okay. 2 MR. RODGERS: You're defining something 3 when there were multiple statements from every crew 4 member, and you're asking the witness to guess. 5 MR. NANAVATI: Okay. 6 MR. RODGERS: So, I'm going to ask you 7 to please put the document up on the screen. 8 MR. NANAVATI: I appreciate the advice 9 on how to handle a deposition, but I think I got 10 it. It's nice of you though. 11 Q: Let me look -- refer you to your 12 report, and we'll talk about the ones that you 13 actually rely on. 14 Page 29 of your report, there's a 15 statement at the top. Do you see it in incident -- 16 entry type incident, you've got it cut and paste. 17 A: Yes. 18 Q: That was logged by according to this, 19 Chris, somebody, presumably Chris Miller. 20 Do you see that? 21 A: It's been logged by Christopher. 22 Q: Okay. And then you've got the USCG</p>	<p>1 Q: Yeah, do you have an opinion as to how 2 far away the barge was from the bridge when this 3 particular effort took place? 4 A: I don't know. I wasn't there. 5 Q: Okay. Look on page 31, you've got a 6 first paragraph, section 2.1 steering test showed 7 system passed. And then, it also has a navigation 8 equipment under 2.3 also passed. 9 Do you see that? 10 A: I do. 11 Q: Do you have any understanding of what 12 the testing protocols and procedures were on the 13 Mackenzie Rose to test the functionality of either 14 the steering or the navigation equipment? 15 A: It's customary aboard vessels when 16 you're doing the steering test, they'll check the 17 NFU, the auto. You'll go through the different 18 steering systems to make sure that the steering 19 works properly. 20 And then, for the navigation systems, 21 you're looking at the radar, the nav lights. It's 22 just a standard procedure. It's pretty customary,</p>

CAPTAIN SAMUEL STEPHENSON, J.D.

August 11, 2025

Page 126	Page 128
<p>1 it's more or less the same on every vessel.</p> <p>2 Q: Do you know if that's what happened on</p> <p>3 the Mackenzie Rose on June 14, 2024?</p> <p>4 MR. RODGERS: Other than what he sees</p> <p>5 in the document?</p> <p>6 MR. NANAVATI: I'm asking if he knows</p> <p>7 what the actual testing protocol procedure was on</p> <p>8 the Mackenzie Rose as it relates to steering and</p> <p>9 navigation. Sam was kind enough to give me a</p> <p>10 general understanding of what's common in the</p> <p>11 industry. And I'm trying to figure out if that's</p> <p>12 what happened on the Mackenzie Rose.</p> <p>13 MR. RODGERS: Other than what's in the</p> <p>14 document where it memorializes something.</p> <p>15 Is that what you're saying?</p> <p>16 MR. NANAVATI: Yeah.</p> <p>17 Q: It says, "Showed steering test, showed</p> <p>18 system passed." Trying to understand what the</p> <p>19 actual test was.</p> <p>20 A: I wasn't there on the Mackenzie Rose on</p> <p>21 that date.</p> <p>22 Q: Okay. And would that be the same</p>	<p>1 need to.</p> <p>2 MR. RODGERS: So, this is not a joint</p> <p>3 expert?</p> <p>4 MR. NANAVATI: This is your expert. I</p> <p>5 think each party can ask questions if they like.</p> <p>6 MR. RODGERS: Yeah. I mean, you're not</p> <p>7 jointly doing this then?</p> <p>8 MR. NANAVATI: Well, hopefully, I'll</p> <p>9 get 90% of it. But just like some of the other</p> <p>10 witnesses, I had to follow up to Jim.</p> <p>11 MR. RODGERS: Anybody else that's going</p> <p>12 to be asking questions?</p> <p>13 MR. NANAVATI: No.</p> <p>14 MR. RODGERS: Jim?</p> <p>15 MR. NANAVATI: No, because we got two</p> <p>16 parties, two lawyers.</p> <p>17 MR. RODGERS: Well, allegedly. Okay.</p> <p>18 MR. NANAVATI: Okay.</p> <p>19 MR. RODGERS: That'll be more obvious</p> <p>20 later on in the case that there's two parties.</p> <p>21 MR. NANAVATI: Ten?</p> <p>22 MR. RODGERS: Well, it depends if Jim's</p>
Page 127	Page 129
<p>1 answer for the tests that are referred in the</p> <p>2 second paragraph on June 15th, 2024?</p> <p>3 A: Again, I wasn't there.</p> <p>4 Q: Okay, so you don't have an</p> <p>5 understanding or opinion as to what the actual</p> <p>6 tests that were performed on the Mackenzie Rose on</p> <p>7 the 14th and 15th were, correct?</p> <p>8 A: Again, I was not there. I can just</p> <p>9 tell you the industry standard.</p> <p>10 Q: Okay. All right; that's the end of</p> <p>11 that section.</p> <p>12 So, if you want to take the 10 minutes</p> <p>13 or whatever you need, that's a good time.</p> <p>14 MR. RODGERS: If you're going to go a</p> <p>15 couple hours, then --</p> <p>16 MR. NANAVATI: I don't think I'm going</p> <p>17 to go a couple hours. What I'd like to do is just</p> <p>18 finish up mine. And if I have to run, let Jim</p> <p>19 finish up with his cross because I've got to take</p> <p>20 my daughter to Clemson this afternoon.</p> <p>21 I got an eight-hour drive ahead of me.</p> <p>22 So, I'd like to finish up and then cut out if I</p>	<p>1 going to go all afternoon because the man has to</p> <p>2 eat.</p> <p>3 MR. NANAVATI: Yeah. Jim?</p> <p>4 MR. CHAPMAN: Hard to say at this</p> <p>5 point, but based on what I've heard so far, I can't</p> <p>6 imagine that my questions will take probably more</p> <p>7 than 30 or 45 minutes.</p> <p>8 MR. RODGERS: All right. So, why don't</p> <p>9 we take 20 minutes, Captain, is that okay?</p> <p>10 THE WITNESS: That's fine.</p> <p>11 MR. NANAVATI: I mean, whatever you</p> <p>12 need. If you're hungry and you're feeling bad,</p> <p>13 let's take whatever you need.</p> <p>14 MR. RODGERS: Yeah. Okay, 10 minutes</p> <p>15 is fine.</p> <p>16 MR. CHAPMAN: All right. Thank you.</p> <p>17 So, we're off for 20 minutes?</p> <p>18 MR. RODGERS: Yeah, let's just say</p> <p>19 quarter till two and make it even.</p> <p>20 MR. NANAVATI: Okay, see you all then.</p> <p>21 THE VIDEOGRAPHER: Counselors, we're</p> <p>22 going off the record. The time is 1:17.</p>

CAPTAIN SAMUEL STEPHENSON, J.D.

August 11, 2025

Page 130	Page 132
<p>1 (WHEREUPON, A BRIEF RECESS WAS TAKEN.)</p> <p>2 THE VIDEOGRAPHER: Counselors,</p> <p>3 gentlemen, witness, we're going back on the record.</p> <p>4 The time is 1:48.</p> <p>5 Please proceed.</p> <p>6 BY MR. NANAVATI:</p> <p>7 Q: All right, Sam I'm going to try to move</p> <p>8 it along because I think a lot of the stuff in the</p> <p>9 rebuttal, we probably addressed when the -- in the</p> <p>10 -- your original opinion. So, I'm going to be kind</p> <p>11 of hopping pages and hopefully skipping a bunch.</p> <p>12 So, in particular, given that if</p> <p>13 something seems out of context, it doesn't make</p> <p>14 sense, make sure you yell at me, all right?</p> <p>15 A: Will do.</p> <p>16 Q: Okay. And go to page 38, please.</p> <p>17 If you look at it says, "The following</p> <p>18 finding to Captain Lewis will be addressed infra."</p> <p>19 Do you see that?</p> <p>20 A: Yes.</p> <p>21 Q: And it says, "The unit made direct</p> <p>22 contact with the bridge causing visible structural</p>	<p>1 MR. RODGERS: Objection.</p> <p>2 A: You'll see it moving a little. Yes.</p> <p>3 Q: Okay. And then number two, you've got</p> <p>4 the unit deviated outside. Oh, sorry. Let me go</p> <p>5 back and ask you one other thing about that video.</p> <p>6 When you looked at the --</p> <p>7 MR. RODGERS: Can I finish my</p> <p>8 objection, are you not hearing me?</p> <p>9 MR. NANAVATI: No, I'm sorry. I didn't</p> <p>10 hear you. Go ahead.</p> <p>11 MR. RODGERS: I had an objection with</p> <p>12 your question and the way it was formed, but he's</p> <p>13 already answered it, so go ahead.</p> <p>14 Q: On the surveillance video, did you</p> <p>15 notice the black diesel smoke coming out of the --</p> <p>16 out of the tugboat after the allision?</p> <p>17 A: There was smoke.</p> <p>18 Q: Do you remember seeing that happen</p> <p>19 after the allision occurred?</p> <p>20 A: No, I do not recall that after, but</p> <p>21 again, a situation like that, it depends when they</p> <p>22 start backing the engines and everything, when</p>
Page 131	Page 133
<p>1 movement as evidenced by the surveillance video,</p> <p>2 which is contrary to crew statements of no damage</p> <p>3 or minor impact."</p> <p>4 Do you see that?</p> <p>5 A: I do.</p> <p>6 Q: Okay. And it generally says you</p> <p>7 disagree with Captain Lewis's finding, but I just</p> <p>8 want to clarify a few things.</p> <p>9 You do agree there was direct contact</p> <p>10 with the bridge, correct?</p> <p>11 A: There was contact with the barge and</p> <p>12 the bridge.</p> <p>13 Q: Yes, and that you could see movement at</p> <p>14 least on the surveillance video, correct?</p> <p>15 A: Yeah, which would be definitely</p> <p>16 different from what the crew saw from, I'll say the</p> <p>17 vantage point up top, that would be a totally</p> <p>18 different view from the vessel versus what their</p> <p>19 surveillance video.</p> <p>20 Q: No, I understand. But by looking at</p> <p>21 the surveillance video, you could see the movement</p> <p>22 of the, of the bridge, correct?</p>	<p>1 you're going to have a smoke like that. You can</p> <p>2 put the engines as stern and it depends because</p> <p>3 nowadays the ships operate on very clean fuel, so</p> <p>4 you won't have near the smoke you used to when you</p> <p>5 first start backing the engines, depending on the</p> <p>6 type of fuel they're using.</p> <p>7 Q: Okay. And do you have any</p> <p>8 understanding of what type of fuel they were using</p> <p>9 or what type of motor this particular vessel had as</p> <p>10 it relates to clean diesel operations?</p> <p>11 A: That I do not.</p> <p>12 Q: Okay. Next one down, number two. It</p> <p>13 sounds like there's no disagreement that the unit</p> <p>14 deviated outside the navigational channel.</p> <p>15 The issue you have is related to</p> <p>16 whether or not -- what the cause of that deviation</p> <p>17 was, correct?</p> <p>18 A: Yeah. In my opinion the reason it</p> <p>19 deviated out of the channel was because of lack of</p> <p>20 situational awareness of maybe what was the</p> <p>21 navigator on the vessel at the time.</p> <p>22 Q: All right. We've asked you about --</p>

CAPTAIN SAMUEL STEPHENSON, J.D.

August 11, 2025

<p style="text-align: right;">Page 134</p> <p>1 I've asked you about the autopilot disengagement. 2 On page 40, just to be sure that we got this 3 straight, there's a -- in the middle, kind of top 4 third, it says further more to text message. 5 Do you see that? 6 A: Yes. 7 Q: That should be flipped, right? It 8 should be Brian Moore to Captain Miller? 9 MR. RODGERS: Sam, what is your 10 question again? 11 Q: He's got the text message going from 12 Captain Miller to Brian Moore. 13 And when I'm looking at the text 14 message, it looks like it's from Brian Moore to 15 Captain Miller. 16 A: It is. 17 Q: Okay. And then it says something in 18 here. The text itself says, I'll call you very 19 shortly, but his interview statement to CG said it 20 never went hard over and was midship the entire 21 time. 22 When it says it went hard over, it was</p>	<p style="text-align: right;">Page 136</p> <p>1 with a current like that when you start backing 2 engines. If you have a slight angle at all, the 3 current will a lot of times take the stern of the 4 vessel in that situation further to the right and 5 the bow to the left. 6 Q: Okay, do you have an, as we sit here 7 today and I'm not suggesting what it should be, but 8 do you have an opinion whether or not it was 9 midship the entire time or whether or not there was 10 any change in the rudder? 11 A: I did not see the rudder angle 12 indicator, but based on the evidence, the vessel's 13 rudder did not go hard over. If it had gone hard 14 over, the vessel would had a much more say severe 15 turn to port, especially considering it had the up 16 current on the stern there, which would really 17 pushed around if it had gone hard over. 18 Q: Can you say whether or not it went over 19 to the left at all rather than hard over, or do you 20 have an opinion on that? 21 A: I don't have an opinion. 22 Q: Okay.</p>
<p style="text-align: right;">Page 135</p> <p>1 midship the entire time, what do you take that to 2 mean? 3 A: Hard over, in maritime terms means that 4 the rudders went hard left or hard right, which is 5 fully hard left or hard right. And midships is 6 where the rudder stays midships. 7 Q: Okay. And based on your review of the 8 -- going back, you did that -- remember that chart 9 you did with the yellow, blue and red line on it? 10 A: Yes. 11 Q: Okay, do you believe that the rudder 12 stayed based on that state midship? 13 A: Do I believe it stayed midships? 14 Q: Yes, sir. 15 A: That's a question's really hard to 16 answer because the current was very strong at that 17 point. The current running approximately 1.9 knots 18 ebbing, if I recall. So, the current would be 19 pushing the vessel towards the bridge. 20 Q: Okay. 21 A: So, you can have a considerable amount 22 of different variations and how a vessel will act</p>	<p style="text-align: right;">Page 137</p> <p>1 A: Again, it's based on the current, which 2 have considerable impact on how a vessel handles 3 once it hits a vessel, the current. 4 Q: Okay, got it. 5 I think I -- I'm looking at page 41 6 just to take, so you keep up with me, but I think 7 we've already talked about switching and where that 8 happened. It looks like the third paragraph on 9 page 41 starts with, "In addition, I respectfully 10 disagree." 11 Do you see that? 12 A: Yes. 13 Q: So, I assume you disagree with the 14 description of this area is confined, not a 15 navigation. I mean, I assume you agree it's a 16 navigational channel, correct? 17 A: Yeah. What I said was for all 18 practical purposes, every channel is a confined 19 channel, and this is for all practical purposes, 20 like any other channel. But when you start looking 21 at, it's not really as a confined, is it narrow? 22 That's based on not only the channel, but the size</p>

CAPTAIN SAMUEL STEPHENSON, J.D.

August 11, 2025

Page 138	Page 140
<p>1 vessel that's operating in the channel.</p> <p>2 Now, if we have, let's say 1,100-foot</p> <p>3 ship going down this channel, yet, let's say a</p> <p>4 hundred -- a 200 -- another 200 -- some of them,</p> <p>5 180-foot beam. Yes, that would be a confined</p> <p>6 channel. My opinion, this vessel with the beam of</p> <p>7 50 feet and the channel that's over 700 feet, in my</p> <p>8 opinion, is not a confined channel, nor is it where</p> <p>9 you have a 300-foot opening to go to a bridge and</p> <p>10 the beams only 55 feet. My opinion, that is not</p> <p>11 confined.</p> <p>12 Q: Is there any industry standard that</p> <p>13 you're aware of that defines that term confined?</p> <p>14 A: No. It's a very, I'll say, subjective</p> <p>15 opinion.</p> <p>16 Q: Okay.</p> <p>17 In your subjective opinion, is there a</p> <p>18 particular ratio that you look at the width of the</p> <p>19 vessel versus the width of the channel to determine</p> <p>20 whether it's confined, you know, one to three or</p> <p>21 one to eight, or is there any particular ratio that</p> <p>22 you look to, to say this is a confined or a narrow</p>	<p>1 Is that correct?</p> <p>2 A: Correct. Yes. If it's a tug and barge</p> <p>3 or a small vessel, then it's not confined in my</p> <p>4 opinion. No.</p> <p>5 Q: Okay. And what types of vessels with</p> <p>6 180-foot beam are you typically navigating through</p> <p>7 the Port Everglades channel -- or that, what's the</p> <p>8 name of the bridge that we talked about?</p> <p>9 A: We can't get 180-foot beam through the</p> <p>10 bridge that we take the mega yachts through, which</p> <p>11 are worth literally some of them over a hundred</p> <p>12 million dollars. And the beam on that bridge is</p> <p>13 120, the width between the fenders is 125 feet.</p> <p>14 Q: Okay, so when you referred to before</p> <p>15 taking vessels on autopilot through that particular</p> <p>16 bridge, they would not be vessels of this size, the</p> <p>17 180-foot beam vessels, correct?</p> <p>18 A: No, a 180-foot beam vessel would not</p> <p>19 fit through a 125-foot opening.</p> <p>20 Q: Yeah, what type of vessels do you take</p> <p>21 through that particular bridge that you use</p> <p>22 autopilot on when --</p>
Page 139	Page 141
<p>1 channel versus something else?</p> <p>2 A: My opinion is around one to four.</p> <p>3 Q: Okay.</p> <p>4 A: That's my opinion.</p> <p>5 A: Yeah.</p> <p>6 And do you know if there's anything</p> <p>7 from the Coast Guard or any commentary from any</p> <p>8 learned source that would suggest one to four is</p> <p>9 the appropriate ratio, or is it really truly</p> <p>10 subjective?</p> <p>11 A: No, there is no, I'll say true -- it's</p> <p>12 very subjective. And again, it's based not only on</p> <p>13 the channel, but the beam of the vessel.</p> <p>14 Q: Okay.</p> <p>15 A: Again, this was a very small vessel.</p> <p>16 Q: The next page, on page 42. So, in this</p> <p>17 Port Everglade channel that we've obviously talked</p> <p>18 about several times, the channel width is 450 to</p> <p>19 500 feet, and you call it a confined navigational</p> <p>20 channel. I'm assuming that's not based on the</p> <p>21 width of the channel, but the beam of the vessels</p> <p>22 that you particularly operate.</p>	<p>1 A: We take the mega yachts, which can be</p> <p>2 worth well in excess of a hundred million dollars.</p> <p>3 Q: Okay, what's the beam on them?</p> <p>4 A: 120? You're going to have 60-, 70-foot</p> <p>5 beam.</p> <p>6 Q: Okay.</p> <p>7 A: They're good-sized vessels.</p> <p>8 Q: And you take those through an autopilot</p> <p>9 regularly?</p> <p>10 A: I have, yes.</p> <p>11 Q: I know you have, but is that the -- is</p> <p>12 that the norm, or is that the exception?</p> <p>13 A: It's up to the captain how they want to</p> <p>14 do it. Like we have some ships coming in autopilot</p> <p>15 and I'm happy to do it. One of the ships we do an</p> <p>16 autopilot is over a 1,000-foot-long cruise ship,</p> <p>17 and we'll go through the currents and Port</p> <p>18 Everglades in autopilot on that, and it's not an</p> <p>19 issue.</p> <p>20 Q: Do you use autopilot? Is it the</p> <p>21 exception or is it the norm when you're operating a</p> <p>22 vessel that size through that type of channel?</p>

CAPTAIN SAMUEL STEPHENSON, J.D.

August 11, 2025

Page 142	Page 144
<p>1 A: We don't do it on a regular basis, but</p> <p>2 we're happy to do it. All the pilots will do it on</p> <p>3 the vessel.</p> <p>4 Q: Okay. All right.</p> <p>5 So, if it's up to you, you hand steer?</p> <p>6 A: It depends on the vessel. We have tug</p> <p>7 and barges, which come in an autopilot, and that's</p> <p>8 fine.</p> <p>9 Q: But what you were talking before, these</p> <p>10 very large -- these large beam vessels, unless</p> <p>11 you're directed -- I think you said, unless you're</p> <p>12 directed to use autopilot, you typically use hand</p> <p>13 steering?</p> <p>14 A: What are you talking about, where?</p> <p>15 Q: I think you said that sometimes people</p> <p>16 come in on autopilot and ask you to use autopilot</p> <p>17 and you'll do it.</p> <p>18 A: And that's fine. Yes.</p> <p>19 Q: Yeah, but if it's up to you without</p> <p>20 direction from the vessels, do you choose</p> <p>21 autopilot, or do you choose hand steering?</p> <p>22 A: Oh, it all depends on the situations</p>	<p>1 the surveillance video.</p> <p>2 Q: No, I got it. But you would agree with</p> <p>3 me that the manual does say, do not use automatic</p> <p>4 steering when in heavy traffic areas or in narrow</p> <p>5 waters?</p> <p>6 A: Yeah, my opinion doesn't apply in this</p> <p>7 situation, but that's what it says.</p> <p>8 Q: Okay. If you turn to page 51, please,</p> <p>9 this relates to the notification to the Coast Guard</p> <p>10 of the illusion.</p> <p>11 Do you see that?</p> <p>12 It's towards the bottom of page 51, I</p> <p>13 think it's your number 11.</p> <p>14 A: Yes.</p> <p>15 Q: Okay.</p> <p>16 Captain Lewis -- you were opining on</p> <p>17 Captain Lewis asserting that the Coast Guard was</p> <p>18 not promptly notified of the allision, a violation</p> <p>19 of 45 CFR section 405-1.</p> <p>20 Do you see that?</p> <p>21 A: I do.</p> <p>22 Q: Okay, do you agree with me that the</p>
Page 143	Page 145
<p>1 because we have -- it's one of the busiest ports,</p> <p>2 I'll say not Port Everglades, it's not only ship</p> <p>3 wise, but small boat traffic, so any given voyage,</p> <p>4 we can have literally hundreds of small boats</p> <p>5 coming out, but that's a situation which it is most</p> <p>6 of the time. It's going to be enhanced steering.</p> <p>7 Q: Gotcha. Okay. All right.</p> <p>8 I think we talked about the CFRs on</p> <p>9 autopilot. If you go to page 45, please, number</p> <p>10 six?</p> <p>11 A: Okay.</p> <p>12 Q: It talks about the Simrad AP70 MK2</p> <p>13 autopilot manual.</p> <p>14 A: Yes.</p> <p>15 Q: You've reviewed that, correct?</p> <p>16 A: Yes.</p> <p>17 Q: And you would agree with me that it has</p> <p>18 restrictions on the use of autopilot in narrow</p> <p>19 waters or heavy traffic areas?</p> <p>20 A: My opinion, that does not apply in this</p> <p>21 situation. This was not a narrow channel. There</p> <p>22 was very little traffic on the waterway based on</p>	<p>1 Coast Guard was not promptly notified of the</p> <p>2 allision as required by 45 CFR section 4.05-1?</p> <p>3 A: Based on the information at the time,</p> <p>4 Carver's management did not know the damage of the</p> <p>5 bridge. The damage of the bridge, they were told,</p> <p>6 if you look at the documents, that the vessel more</p> <p>7 or less laid on the fenders, slid through the</p> <p>8 fenders, and if there's no damage at all, which</p> <p>9 they were told, there is no reason to report it to</p> <p>10 the Coast Guard.</p> <p>11 Q: They were provided photos of the barge,</p> <p>12 correct? The front of the barge, looking for</p> <p>13 damage?</p> <p>14 A: Yes.</p> <p>15 Q: And why would they be asking for and</p> <p>16 receiving photos of the front of the barge if they</p> <p>17 thought that it was just a sideswipe?</p> <p>18 MR. RODGERS: Objection to form. You</p> <p>19 can answer if you understand the question.</p> <p>20 A: So, you're saying they're looking at</p> <p>21 the photos of the front of the barge?</p> <p>22 Q: They requested and received photos of</p>

CAPTAIN SAMUEL STEPHENSON, J.D.

August 11, 2025

<p style="text-align: right;">Page 146</p> <p>1 the front of the barge.</p> <p>2 A: Why were they asking for those?</p> <p>3 Q: If it was a sideswipe, wouldn't they</p> <p>4 want pictures of the side?</p> <p>5 A: I can only see in the evidence that</p> <p>6 I've reviewed, and what they talked about was that</p> <p>7 it was a sideswipe.</p> <p>8 Q: Right, and the other thing that they</p> <p>9 were told is that Captain Miller wanted to report</p> <p>10 this to the Coast Guard before he left, correct?</p> <p>11 A: That's what the report said. And</p> <p>12 again, if it's going to be reported, you will not</p> <p>13 report laying up on the fenders or something like</p> <p>14 that. And I don't know Captain Miller, but maybe</p> <p>15 he was very cautious about it.</p> <p>16 And if you touch something, he'll</p> <p>17 definitely, if he may want to report it, I don't</p> <p>18 know. But that is not the standard for reporting.</p> <p>19 The standard for reporting is that you'll report</p> <p>20 going under a bridge if you damage something, if</p> <p>21 there's no damage, there's no reason to report it</p> <p>22 to the Coast Guard.</p>	<p style="text-align: right;">Page 148</p> <p>1 reported to the Coast Guard on the 2692 form and</p> <p>2 everything else. So, I don't think it's that they</p> <p>3 didn't want to report it, it was they did not feel</p> <p>4 it was necessary for it to be reported.</p> <p>5 Q: Was the earlier incident with Mate</p> <p>6 Morrissey witnessed by somebody other than folks on</p> <p>7 the Mackenzie Rose?</p> <p>8 A: From what I read, people on the shore</p> <p>9 side saw it.</p> <p>10 Q: Okay. And with respect to this</p> <p>11 particular situation that we're here for, the June</p> <p>12 15, 2024, allision, you would agree with me that it</p> <p>13 was whoever it was, you know, Moore or Baldessari</p> <p>14 told the vessel, not that it didn't need to be</p> <p>15 reported, they told the vessel they had reported it</p> <p>16 to the Coast Guard, and the Coast Guard said they</p> <p>17 could leave, correct?</p> <p>18 A: To keep the vessel going.</p> <p>19 Q: Yeah, and that was not true, correct?</p> <p>20 A: But they were not told the truth either</p> <p>21 as to the damage done by the bridge.</p> <p>22 Q: Well, in any event, my question isn't</p>
<p style="text-align: right;">Page 147</p> <p>1 Q: Okay. And Carver Management,</p> <p>2 Baldessari, or Moore reported to the vessel that</p> <p>3 not that they didn't need to report it.</p> <p>4 They told them that they had reported</p> <p>5 it, and they could leave, correct?</p> <p>6 MR. RODGERS: Objection.</p> <p>7 A: They were told the vessel laid upon the</p> <p>8 fendering, slid through on the fendering on the</p> <p>9 port side. If that were the case, the company is</p> <p>10 not required to report it. Now, if it was such an</p> <p>11 issue, Captain Miller could have reported it if</p> <p>12 that's how he felt.</p> <p>13 But he left that up to -- he could have</p> <p>14 done it. And the company did not report it, not</p> <p>15 thinking they had to report it. So, they probably</p> <p>16 wanted to get the bargeman, I don't know. But they</p> <p>17 did not feel at that time there was any damage from</p> <p>18 all the information I've reviewed. They thought</p> <p>19 there was no damage at all. And in that case,</p> <p>20 there's no requirement to report it.</p> <p>21 If you look past when Captain Morrissey</p> <p>22 had an incident a few months prior, that was</p>	<p style="text-align: right;">Page 149</p> <p>1 whether or not they were -- the crew lied to the</p> <p>2 management, that's apparently the case. It's also</p> <p>3 probably the case of management lied to the crew,</p> <p>4 correct?</p> <p>5 MR. RODGERS: Objection to the form.</p> <p>6 A: Yeah, the crew definitely was not</p> <p>7 truthful with regards to management. There's no</p> <p>8 question about that.</p> <p>9 Q: And how about management, were they</p> <p>10 truthful to the crew when they told them they</p> <p>11 reported it to the Coast Guard so they could leave?</p> <p>12 A: I think what happened was that they</p> <p>13 wanted -- they did not think there was any damage</p> <p>14 to the bridge when you read all the evidence and</p> <p>15 they thought, okay, there's no damage to the</p> <p>16 bridge, we want to keep the vessel going. So,</p> <p>17 we'll tell them that we'll report it, and they --</p> <p>18 Q: They told them that they had reported</p> <p>19 it, correct?</p> <p>20 A: I don't recall. I'd have to look at</p> <p>21 that document again.</p> <p>22 Q: Well, let's -- all right, let's see if</p>

CAPTAIN SAMUEL STEPHENSON, J.D.

August 11, 2025

Page 150	Page 152
<p>1 we can just share a screen. I'll show you this one</p> <p>2 because this one I think is important.</p> <p>3 Can you see my screen?</p> <p>4 A: Yes.</p> <p>5 Q: Okay. I can tell Chris, presumably</p> <p>6 that's Chris Miller, the captain, I notified them,</p> <p>7 and they will do an investigation and to keep going</p> <p>8 just to shut him up.</p> <p>9 Do you see that?</p> <p>10 A: I do, but in my opinion, this is</p> <p>11 irrelevant. This is all after the fact of the</p> <p>12 incident.</p> <p>13 Q: It's on June 15th of 2024, correct?</p> <p>14 A: Yeah, and it was after the incident</p> <p>15 occurred.</p> <p>16 Q: Right, and if they had not made that</p> <p>17 misrepresentation to Chris Miller, presumably he</p> <p>18 would have reported it.</p> <p>19 The Coast Guard could have boarded the</p> <p>20 vessel and done drug and alcohol testing, correct?</p> <p>21 MR. RODGERS: Objection.</p> <p>22 A: Yeah, it would be up to the captain. I</p>	<p>1 whether or not this statement, that they notified</p> <p>2 the Coast Guard, and that Coast Guard will do an</p> <p>3 investigation, so that Chris Miller will keep going</p> <p>4 just to shut him up, is a true or false statement.</p> <p>5 MR. RODGERS: Asked and answered.</p> <p>6 Objection. Asked and answered.</p> <p>7 You can answer it a third time,</p> <p>8 Captain.</p> <p>9 A: Yeah, I already answered it.</p> <p>10 Q: What was the answer?</p> <p>11 A: I said that --</p> <p>12 MR. RODGERS: Counselor, can you have</p> <p>13 it read to him? Counselor, can you have it read to</p> <p>14 him?</p> <p>15 A: What the text says.</p> <p>16 Q: I know I can read the text.</p> <p>17 Is the statement in the text true or</p> <p>18 false?</p> <p>19 MR. RODGERS: Asked and answered.</p> <p>20 A: What statement in the text?</p> <p>21 Q: That they notified the Coast Guard of</p> <p>22 the allusion on June 15, 2024.</p>
Page 151	Page 153
<p>1 can't speak for the captain on this one.</p> <p>2 Q: Okay, regardless of whether you think</p> <p>3 it's relevant or not, that statement is not true,</p> <p>4 correct?</p> <p>5 MR. RODGERS: Objection.</p> <p>6 A: You're talking with regards to the</p> <p>7 reporting?</p> <p>8 Q: Yes.</p> <p>9 A: That's what this statement said.</p> <p>10 Q: And is that, that is not true, correct?</p> <p>11 MR. RODGERS: Objection, you're</p> <p>12 harassing the witness. Asked and answered.</p> <p>13 Q: Is it true, or false?</p> <p>14 MR. RODGERS: Asked and answered.</p> <p>15 A: I've already answered the question.</p> <p>16 Q: What was the answer?</p> <p>17 A: I told you before.</p> <p>18 MR. RODGERS: Objection. Mark, you're</p> <p>19 harassing the witness. He's asked -- answered it</p> <p>20 twice.</p> <p>21 MR. NANAVATI: He said six times that</p> <p>22 the crew lied to management. He will not say</p>	<p>1 A: At that point they had not.</p> <p>2 Q: Okay, thank you.</p> <p>3 Can you go to page 54, please. Number</p> <p>4 12, it says, "Post-incident accounts from multiple</p> <p>5 crew members were inconsistent."</p> <p>6 Do you see that section?</p> <p>7 A: I do.</p> <p>8 Q: And in response, you indicated Mate</p> <p>9 Morrissey failed to tell the truth about the</p> <p>10 incident.</p> <p>11 Do you see that?</p> <p>12 A: That's correct. He did fail to tell</p> <p>13 the truth about the incident.</p> <p>14 Q: Did you review any other crew</p> <p>15 statements?</p> <p>16 A: Can you repeat that?</p> <p>17 Q: Yeah, did you review any crew</p> <p>18 statements other than Mate Morrissey's?</p> <p>19 A: Yes.</p> <p>20 Q: Do you have an opinion as to whether or</p> <p>21 not any of the other crew statements were</p> <p>22 inaccurate?</p>

CAPTAIN SAMUEL STEPHENSON, J.D.

August 11, 2025

Page 154	Page 156
<p>1 A: I did not write the statements for the</p> <p>2 crew members. I don't know -- I was not there when</p> <p>3 the statements were written, but at my opinion</p> <p>4 being on vessels, I would say, no, they are</p> <p>5 accurate.</p> <p>6 What I have, the evidence I have seen</p> <p>7 and the documents I have reviewed, I have no reason</p> <p>8 not to believe they would not be accurate.</p> <p>9 Q: Okay. Can you turn to page 63, please?</p> <p>10 Kind of middle of the page.</p> <p>11 It says, Furthermore, the Coast Guard,</p> <p>12 by taking no action against his license, deemed</p> <p>13 Mate Morrissey to be a competent master.</p> <p>14 Do you see that?</p> <p>15 A: Yes.</p> <p>16 Q: Are you aware of any Coast Guard</p> <p>17 regulation or publication that indicates if action</p> <p>18 is not taken, that's deemed to be a finding by the</p> <p>19 Coast Guard that somebody is a competent master or</p> <p>20 competent at anything?</p> <p>21 A: No, my opinion, if the Coast Guard does</p> <p>22 not take action on someone's license after an</p>	<p>1 action against the license, in my opinion, they</p> <p>2 deem that person to be competent.</p> <p>3 Q: And how long is the typical Coast Guard</p> <p>4 investigation? How does it take them to usually</p> <p>5 complete an investigation?</p> <p>6 A: That I cannot tell you.</p> <p>7 Q: Okay. And so you don't have any idea</p> <p>8 whether or not the January 21, 2024, incidents</p> <p>9 investigation is completed, correct?</p> <p>10 MR. RODGERS: Objection, foundation.</p> <p>11 MR. NANAVALI: Yeah, I agree.</p> <p>12 Q: Do you have any foundation to determine</p> <p>13 that the Coast Guard has not -- has decided not to</p> <p>14 take action against Mate Morrissey?</p> <p>15 MR. RODGERS: There's no investigation</p> <p>16 by the Coast Guard and you know it, Mark. So,</p> <p>17 there's no foundation for this question.</p> <p>18 If I have to follow it up, I will, but</p> <p>19 you're just throwing out stuff that's not true.</p> <p>20 MR. NANAVALI: I don't know that, I'm</p> <p>21 asking.</p> <p>22 Q: Does he have information to suggest the</p>
Page 155	Page 157
<p>1 incident, they're deeming him to be competent,</p> <p>2 they're allowing him to have his license. Part of</p> <p>3 it, when you get, receive the captain's license,</p> <p>4 you're expected to be competent. If you are not</p> <p>5 competent, the Coast Guard, and you have an</p> <p>6 incident, the Coast Guard will take action against</p> <p>7 the license.</p> <p>8 Q: Okay, so my question is, are you aware</p> <p>9 of any Coast Guard regulations or other</p> <p>10 publications that indicates a lack of action</p> <p>11 equates to a finding of competency?</p> <p>12 A: Coast Guard publications?</p> <p>13 Q: Let's start there, Coast Guard</p> <p>14 publications?</p> <p>15 A: To my knowledge no, but the thing is</p> <p>16 that if the Coast Guard -- if you have an incident</p> <p>17 on a ship, the Coast Guard takes that very</p> <p>18 seriously on board a vessel. They'll do an</p> <p>19 investigation. Generally, they'll do an</p> <p>20 investigation, and if they find an issue with the</p> <p>21 person who's operating the vessel, they will take</p> <p>22 action against the license. If they don't take</p>	<p>1 investigation is completed?</p> <p>2 MR. RODGERS: Foundation, again.</p> <p>3 A: Based on my experience, if there's an</p> <p>4 issue with a crew member on board a vessel, which</p> <p>5 had an incident, the Coast Guard will take action</p> <p>6 relatively quickly.</p> <p>7 Q: Okay. And did Carver do anything after</p> <p>8 the January 21, 2024, incident as relates to Mate</p> <p>9 Morrissey?</p> <p>10 MR. RODGERS: Asked and answered,</p> <p>11 objection, asked and answered like two hours ago.</p> <p>12 Go ahead, Captain.</p> <p>13 A: What I reviewed was in the documents,</p> <p>14 and I think we talked about this already, what</p> <p>15 Carver did, they did their -- they have a form</p> <p>16 which they filled out with regards to the</p> <p>17 investigation, and that was completed by Carver</p> <p>18 after the incident with Mate Morrissey.</p> <p>19 Q: Okay. And did Carver do anything as it</p> <p>20 relates to Mate Morrissey after the June 15, 2024,</p> <p>21 allision?</p> <p>22 MR. RODGERS: Objection to form.</p>

CAPTAIN SAMUEL STEPHENSON, J.D.

August 11, 2025

Page 158	Page 160
<p>1 A: I would have to review the documents</p> <p>2 again. There's over 1,800 documents, so I don't</p> <p>3 remember every document to be honest.</p> <p>4 MR. NANAVATI: That's fine.</p> <p>5 All right. I don't think I have any</p> <p>6 further questions for you, sir. Please answer any</p> <p>7 questions Mr. Chapman may have, and I'll probably</p> <p>8 bow out here shortly.</p> <p>9 MR. RODGERS: Captain Stephenson,</p> <p>10 Mr. Chapman represents Norfolk and Portsmouth Belt</p> <p>11 Railroad.</p> <p>12 EXAMINATION</p> <p>13 BY MR. CHAPMAN:</p> <p>14 Q: Good afternoon, Sam. My name's Jim</p> <p>15 Chapman. I introduced myself much earlier in this</p> <p>16 deposition. Mr. Rogers is correct; I do represent</p> <p>17 Norfolk and Portsmouth Beltline Railroad.</p> <p>18 How are you this afternoon?</p> <p>19 A: Good.</p> <p>20 Q: Good. I do have some questions that</p> <p>21 I'm just trying to get a little better</p> <p>22 understanding on, there's been, you know, some</p>	<p>1 Q: I think you said that the channel</p> <p>2 opening fender to fender was 125 feet.</p> <p>3 Is that right?</p> <p>4 A: Yes.</p> <p>5 Q: And I understand your occupation is you</p> <p>6 are a harbor pilot in that particular port, right?</p> <p>7 A: That's correct.</p> <p>8 Q: Are you licensed as a harbor pilot</p> <p>9 there?</p> <p>10 A: Yes.</p> <p>11 Q: And did you have to undergo any special</p> <p>12 training to become licensed as a harbor pilot in</p> <p>13 that location?</p> <p>14 A: Before -- well, I was captain for six</p> <p>15 years on ships. And then, after I was captain, I</p> <p>16 became a harbor pilot. I went through another</p> <p>17 three years of training, just under three years of</p> <p>18 training to be a harbor pilot, which at the time, I</p> <p>19 think I did 3,000 transits in three years.</p> <p>20 Q: All in Port Everglades?</p> <p>21 A: Yes, a pilot is very specific to a</p> <p>22 port.</p>
Page 159	Page 161
<p>1 focus on this particular bridge, I think in Fort</p> <p>2 Lauderdale, you call it the 17th Street Bridge?</p> <p>3 A: Yes.</p> <p>4 Q: And I just want to make sure I know</p> <p>5 which one we're talking about.</p> <p>6 And while you were, while we were on a</p> <p>7 break, I, you know, looked it up on the internet</p> <p>8 and I think I know what it is, but I just want to</p> <p>9 understand, it looks to me like it's a bridge</p> <p>10 that's used by automobile traffic, is that right?</p> <p>11 A: Yes.</p> <p>12 Q: And it's a bascule bridge in its</p> <p>13 operation, correct?</p> <p>14 A: Yes.</p> <p>15 Q: And just so we're clear on that, it</p> <p>16 basically opens like this from either side,</p> <p>17 correct?</p> <p>18 A: That is correct.</p> <p>19 Q: Do you know how long that bridge has</p> <p>20 been there in its current configuration?</p> <p>21 A: There was one there before it was</p> <p>22 replaced. I can't tell you the date.</p>	<p>1 Q: Gotcha. So, it was like an</p> <p>2 apprenticeship almost is the way I think of it.</p> <p>3 Is that fair?</p> <p>4 A: Correct.</p> <p>5 Q: Yeah. So, in your role as a Harbor</p> <p>6 pilot, I think you said, no, we don't take really</p> <p>7 big boats through that opening because it's just</p> <p>8 not wide enough, and that predominantly the boats</p> <p>9 that you're taking through there when you're</p> <p>10 working as a Harbor pilot would be mega yachts, or</p> <p>11 what's referred to as mega yachts?</p> <p>12 It might have a beam of 60 or 70 feet?</p> <p>13 A: Approximately.</p> <p>14 Q: Okay, those mega yachts, are they</p> <p>15 typically equipped with bow thrusters?</p> <p>16 A: Yes.</p> <p>17 Q: Or court nozzles? I don't know how you</p> <p>18 think of it, but bow thrusters and twin main</p> <p>19 engines?</p> <p>20 A: Yes.</p> <p>21 Q: Okay. And when you said that the crew</p> <p>22 of the vessel would want to go through those on</p>

CAPTAIN SAMUEL STEPHENSON, J.D.

August 11, 2025

<p style="text-align: right;">Page 162</p> <p>1 autopilot, you would, I don't know, agree to that</p> <p>2 or, you know, think that that was okay, correct?</p> <p>3 A: I leave it up to the captain.</p> <p>4 Q: And is that because the harbor pilot is</p> <p>5 only in kind of an advisory role when you're aboard</p> <p>6 one of those vessels?</p> <p>7 MR. RODGERS: Objection.</p> <p>8 A: When we're aboard the vessel, if it's a</p> <p>9 foreign flag vessel, we are mandated by law, if</p> <p>10 it's a US flag vessel from one US port to another</p> <p>11 port, we're still mandated by law to be on board,</p> <p>12 and we are not an advisor unless the captain has</p> <p>13 the trips required.</p> <p>14 Q: I'm sorry, I missed that.</p> <p>15 Captain has the what?</p> <p>16 A: Required trips. So, if it's a Navy</p> <p>17 vessel -- if it's a Navy vessel or public vessel,</p> <p>18 then we are an advisor, otherwise we have as</p> <p>19 control of the con or conduct of the vessel.</p> <p>20 Q: Okay. And when you say have control of</p> <p>21 the con, you would actually operate the controls in</p> <p>22 that circumstance where you're considered to be the</p>	<p style="text-align: right;">Page 164</p> <p>1 Q: Okay, when you're, I guess, coming into</p> <p>2 or leaving the Port Everglades in your role as a</p> <p>3 harbor pilot, then you're not technically at the</p> <p>4 control, somebody else is actually operating the</p> <p>5 steering or the, the propulsion, that sort of</p> <p>6 thing, is that right?</p> <p>7 A: That's correct. We give the orders.</p> <p>8 Q: Okay. And do you have any</p> <p>9 responsibility for filling out a log?</p> <p>10 A: As a pilot? No. As a captain, yes.</p> <p>11 Q: Okay, so when you're operating as a, as</p> <p>12 a harbor pilot, somebody else handles the log</p> <p>13 entries during whatever time you have on the</p> <p>14 vessel?</p> <p>15 A: Yes, unless we tell them to put an</p> <p>16 entry in the log for whatever reason it may be.</p> <p>17 Q: And during your kind of 28 days on, 28</p> <p>18 days off, if you could kind of give us a general</p> <p>19 description of like, how many transits would you be</p> <p>20 making or how many times would you be serving as</p> <p>21 the harbor pilot in a 28 day on period?</p> <p>22 A: It really varies a lot based on the</p>
<p style="text-align: right;">Page 163</p> <p>1 captain on the vessel, is that right?</p> <p>2 A: No, we're not considered to be the</p> <p>3 captain. We're not part of the ship's crew. We're</p> <p>4 a pilot and we are there to take navigational</p> <p>5 control of the vessel.</p> <p>6 So, on the ship, say five miles out at</p> <p>7 sea, we get on board the boat. We have small</p> <p>8 boats, which take us out there and we climb on</p> <p>9 board. The captain gives us; it's called</p> <p>10 navigational control of the vessel. So, I'm in</p> <p>11 control of the navigation of the vessel. I do not</p> <p>12 touch the throttles or anything else. I give the</p> <p>13 commands.</p> <p>14 Q: And in these mega yachts that you</p> <p>15 describe, what is the, I don't know, is there a</p> <p>16 typical crew size, a usual crew size?</p> <p>17 A: It's all over the place.</p> <p>18 Q: So, would you expect these mega yachts</p> <p>19 would have a master of the vessel and somebody that</p> <p>20 operates in the role of chief mate?</p> <p>21 A: They may, it really varies on the</p> <p>22 yacht.</p>	<p style="text-align: right;">Page 165</p> <p>1 month. We have a peak season, and we have low</p> <p>2 season traffic. So, there's quite a variation.</p> <p>3 Q: So, in your very busiest month, what</p> <p>4 would it be like?</p> <p>5 A: Probably around 70 transits, somewhere</p> <p>6 there. It could be more lately; it's been very</p> <p>7 busy.</p> <p>8 Q: So, at least a couple of days during a</p> <p>9 busy season, it sounds like?</p> <p>10 A: Excuse me?</p> <p>11 Q: At least a couple of them a day during</p> <p>12 the busy season?</p> <p>13 A: And that's pretty much every day we</p> <p>14 have a couple of them. Yes.</p> <p>15 Q: Okay, how many people in the Harbor</p> <p>16 Pilots Association there for Port Everglades?</p> <p>17 A: We have 15 pilots and four deputies.</p> <p>18 Q: And is a deputy, somebody that's like a</p> <p>19 junior harbor pilot?</p> <p>20 A: They're not a pilot yet. They're</p> <p>21 undergoing training.</p> <p>22 Q: Okay, kind of like the program you went</p>

CAPTAIN SAMUEL STEPHENSON, J.D.

August 11, 2025

<p style="text-align: right;">Page 166</p> <p>1 through?</p> <p>2 A: Correct.</p> <p>3 Q: Okay, so when you are performing harbor</p> <p>4 pilot duties, you would only operate the vessel or</p> <p>5 allow the vessel to be operated on autopilot if the</p> <p>6 request came from the master of the vessel?</p> <p>7 A: Or if the vessel's already in harbor</p> <p>8 pilot. A lot of times we just keep it in harbor</p> <p>9 pilot when we're going in the channel or out the</p> <p>10 channel.</p> <p>11 Q: So, when a vessel is coming in from the</p> <p>12 sea, where do you board it as a harbor pilot?</p> <p>13 A: It depends on the size vessel. It</p> <p>14 could be one mile from the sea buoy, close to five</p> <p>15 miles offshore.</p> <p>16 Q: I'm sorry, where is the sea buoy at</p> <p>17 Port Everglades?</p> <p>18 A: It's about a mile and a half out.</p> <p>19 Q: Okay. And so if I understood your</p> <p>20 answer, then you could board it as close as the sea</p> <p>21 buoy, but as far out as about five miles from the</p> <p>22 sea buoy, is that right?</p>	<p style="text-align: right;">Page 168</p> <p>1 somewhere up there.</p> <p>2 Q: So, just so I understand, is it two</p> <p>3 ships, each of which made one voyage inside the sea</p> <p>4 buoy for Hampton Roads?</p> <p>5 A: And also, I worked with the Navy pilots</p> <p>6 in Virginia and Norfolk.</p> <p>7 Q: Tell us about that work.</p> <p>8 A: I was riding with the harbor pilots up</p> <p>9 there for the Navy work. That's a little different</p> <p>10 than a state Harbor Pilot. There are several</p> <p>11 harbor pilots.</p> <p>12 But I spent my Navy duty doing work</p> <p>13 with them at the Navy base.</p> <p>14 Q: When you say the Navy base, can you</p> <p>15 tell us what you mean by the Navy base?</p> <p>16 A: Navy base in Norfolk where the ships</p> <p>17 dock.</p> <p>18 Q: Okay, so is that what is referred to as</p> <p>19 the Naval Operations Base, NOB for short?</p> <p>20 A: It may be. I'm going back years. I</p> <p>21 don't recall what they called it back then.</p> <p>22 Q: Okay, that was going to be kind of a</p>
<p style="text-align: right;">Page 167</p> <p>1 A: Half a mile east of the sea buoy,</p> <p>2 usually to five miles offshore.</p> <p>3 Q: And does the Harbor Pilots Association</p> <p>4 operate some pilot vessels to get you to and from</p> <p>5 the ship that you're going to be piloting?</p> <p>6 A: Yes.</p> <p>7 Q: Do you ever operate those?</p> <p>8 A: If the driver has to relieve himself,</p> <p>9 I'll take the helm.</p> <p>10 Q: Okay, but not as your normal course of</p> <p>11 duty?</p> <p>12 A: No, not at all.</p> <p>13 Q: Okay, have you ever operated any vessel</p> <p>14 inside the sea buoy for the Port of Hampton Roads?</p> <p>15 A: Yes.</p> <p>16 Q: And tell us about the circumstances in</p> <p>17 which you've done that, please.</p> <p>18 A: I was captain on the U.S. training</p> <p>19 ship, Texas Clipper II, and we're going up the</p> <p>20 James River. And also, as captain on the Reuben</p> <p>21 Lasker, and we were going, like I said, I don't</p> <p>22 recall if it was Elizabeth River where, but we went</p>	<p style="text-align: right;">Page 169</p> <p>1 follow-up question is when you made these transits.</p> <p>2 I read in your resume that you're a retired Naval</p> <p>3 Reserve officer.</p> <p>4 So, this must have been during some</p> <p>5 kind of temporary active-duty work that you were</p> <p>6 involved in.</p> <p>7 Is that right?</p> <p>8 A: Correct. That was my one-year</p> <p>9 active-duty work. Yes.</p> <p>10 Well, I went and did my work for one</p> <p>11 year up there for my calendar year.</p> <p>12 Q: What calendar year was that?</p> <p>13 A: I don't recall.</p> <p>14 Q: Before 1990?</p> <p>15 A: No, it was after that.</p> <p>16 Q: Before 2000?</p> <p>17 A: I can't recall. I know it was after</p> <p>18 1990.</p> <p>19 Q: And the two transits that you told us</p> <p>20 about, one on the training ship, and I honestly</p> <p>21 don't remember the other ship you described, you</p> <p>22 gave us a name, but when were those transits made?</p>

CAPTAIN SAMUEL STEPHENSON, J.D.

August 11, 2025

Page 170	Page 172
<p>1 A: One was made approximately, I'd say --</p> <p>2 I'd have to look, I don't recall exactly. It's</p> <p>3 been quite a few years.</p> <p>4 Q: Just give us your best estimate.</p> <p>5 A: This is a guess. I'd say around 2013,</p> <p>6 maybe. But it would have been a long time.</p> <p>7 Q: And have you ever transited a vessel in</p> <p>8 the southern branch of the Elizabeth River?</p> <p>9 A: To my knowledge, like I said, I don't</p> <p>10 recall we went up somewhere there. All I recall</p> <p>11 was there was a shipyard. It was one of those</p> <p>12 rivers when we went past the Navy base.</p> <p>13 And so, all I recall, it was a</p> <p>14 brand-new ship, and I was hired to bring it out for</p> <p>15 sea trials as captain.</p> <p>16 Q: And you recall that it was, you said, a</p> <p>17 brand-new ship?</p> <p>18 A: Yes, Reuben Lasker.</p> <p>19 Q: Do you still have your report there?</p> <p>20 A: Yes.</p> <p>21 Q: I think it's been marked as Exhibit 1,</p> <p>22 but you were asked some questions, I think it was</p>	<p>1 else. There's some -- like I said, this is very</p> <p>2 subjective. There's a lot of variations to this.</p> <p>3 Is there a heavy wind? Is the vessel</p> <p>4 crabbing in the wind? When you're crabbing, the</p> <p>5 vessel is not going straight in the channel. The</p> <p>6 vessel will have an angle. So, it's a dynamic</p> <p>7 environment on the water, and this all has to be</p> <p>8 taken into account when you're doing these</p> <p>9 calculations.</p> <p>10 Q: Okay, I appreciate that explanation. I</p> <p>11 just wanted to understand what was the one and what</p> <p>12 was the four, but the one is the width of the</p> <p>13 channel, and the four is the width of the vessel in</p> <p>14 a general sense?</p> <p>15 A: The one is the beam of the vessel.</p> <p>16 Q: I apologize. Thank you.</p> <p>17 A: And four is the width of the channel,</p> <p>18 and that's, again, it's subjective.</p> <p>19 Q: Okay. Great.</p> <p>20 I wanted to also ask you some questions</p> <p>21 about a couple of things that appear in this</p> <p>22 section of your report called Documents Review, it</p>
Page 171	Page 173
<p>1 on page 42, there in about the middle of the page,</p> <p>2 talking about what's a confined channel, what's</p> <p>3 not. I think you said there's no industry</p> <p>4 standard, but you did offer up what I understood to</p> <p>5 be some type of ratio. And I just want to make</p> <p>6 sure I understand what is in that ratio. You use</p> <p>7 the figures of a ratio of one to four.</p> <p>8 And so, what are the two figures in</p> <p>9 that ratio?</p> <p>10 And if you said it, I apologize. I</p> <p>11 just didn't hear it, and I'm just trying to</p> <p>12 understand that.</p> <p>13 A: Talking about, again, this is very</p> <p>14 subjective, and that would be the channel width to</p> <p>15 the beam of the vessel.</p> <p>16 Q: So, the channel width is the one, and</p> <p>17 the beam of the vessel is the four, or is it the</p> <p>18 width?</p> <p>19 A: Yes, the channel width would be the</p> <p>20 four, and the beam would be the one. And also,</p> <p>21 it's not just -- there's so many variations. You</p> <p>22 have to look at the weather conditions, everything</p>	<p>1 looks like it starts on page eight.</p> <p>2 On page nine, Mr. Nanavati asked you</p> <p>3 about the bullet point that's in about the middle</p> <p>4 that says, USCG Recordings, and I know you</p> <p>5 ultimately said that what you meant there was USCG</p> <p>6 records, which I think were described as</p> <p>7 information that was received from the Coast Guard,</p> <p>8 and I just want to understand what information was</p> <p>9 received from the Coast Guard that you reviewed?</p> <p>10 A: From the Coast Guard? I'm talking</p> <p>11 about like the 2692 report.</p> <p>12 Q: Okay, do you have any memory that there</p> <p>13 was anything other than the 2692 reports from the</p> <p>14 Coast Guard that you reviewed that would fit within</p> <p>15 that USCG records entry?</p> <p>16 A: At this point, there's, I think, close</p> <p>17 to 1,800 pages of documents. That's what I recall.</p> <p>18 Q: Yeah, no, I get that. I'm just trying</p> <p>19 to understand whether, I don't know, somehow Carver</p> <p>20 was able to obtain information from the Coast Guard</p> <p>21 that you considered, and I've heard you say the</p> <p>22 2692 reports, but like, I don't know what there</p>

CAPTAIN SAMUEL STEPHENSON, J.D.

August 11, 2025

Page 174	Page 176
<p>1 would be from the Coast Guard, a copy of their</p> <p>2 investigation, their final report, anything like</p> <p>3 that?</p> <p>4 A: No, no.</p> <p>5 Q: Okay, as far as I know, they're still</p> <p>6 doing their investigation. And if somebody else</p> <p>7 knows differently, I'm very keen to find that out,</p> <p>8 but that's not something that you reviewed?</p> <p>9 A: No.</p> <p>10 Q: Okay. On page 10, there's a bullet</p> <p>11 entry. One, two, three, the sixth one down, it</p> <p>12 says T-Mobile Phone Records, Morrissey.</p> <p>13 What is that?</p> <p>14 A: I think I reviewed his phone records to</p> <p>15 see if he was texting or anything.</p> <p>16 Q: Okay. And did you find any indication</p> <p>17 that he was?</p> <p>18 A: No.</p> <p>19 Q: How did you know they were T-Mobile</p> <p>20 Phone Records?</p> <p>21 A: Again, there's close to 1,800</p> <p>22 documents, and I recall looking at them, and if I</p>	<p>1 documents, so yeah.</p> <p>2 Q: Do you recall whether they were</p> <p>3 handwritten or typed?</p> <p>4 A: If I recall, these two were typed.</p> <p>5 Q: Were they signed?</p> <p>6 A: I don't recall.</p> <p>7 Q: Sam, I'm going to try to share my</p> <p>8 screen here.</p> <p>9 Can you see a handwritten statement on</p> <p>10 your screen?</p> <p>11 A: Yes.</p> <p>12 Q: Okay. This was marked as Exhibit 17 in</p> <p>13 Mr. Moore's deposition. I know you've referred to</p> <p>14 having read the depositions of several people,</p> <p>15 including Mr. Moore.</p> <p>16 Did you receive the exhibits with the</p> <p>17 deposition transcripts, or just the deposition</p> <p>18 testimony?</p> <p>19 A: I received the exhibits.</p> <p>20 Q: Do you recall seeing this exhibit?</p> <p>21 A: I have seen that, yes. I don't recall</p> <p>22 if it was an exhibit or if I saw it when it was not</p>
Page 175	Page 177
<p>1 recall, it had T-Mobile on the document.</p> <p>2 Q: Okay, did you actually see text</p> <p>3 messages in those records?</p> <p>4 A: They're just a phone record itself, the</p> <p>5 calls made.</p> <p>6 Q: Okay. And then on page 11, the fourth</p> <p>7 entry there, witness interviews, Baldessari and J.</p> <p>8 Morrissey. And I know you were asked some</p> <p>9 questions about this already, but as witness</p> <p>10 interviews, was there like a, I don't know, a</p> <p>11 question, and then an answer type format?</p> <p>12 A: No, not to my knowledge, no. It was</p> <p>13 their statements, if you will, the interview</p> <p>14 statements.</p> <p>15 Q: So, who interviewed them?</p> <p>16 A: Should have probably put statements,</p> <p>17 not interviews. They would have the depositions,</p> <p>18 but that's obviously different.</p> <p>19 Q: Okay, so your recollection is what</p> <p>20 you're referring to there, some type of statement</p> <p>21 that Mr. Baldessari and the two Morrisseys made?</p> <p>22 A: Yes. Again, there's 1,800 pages of</p>	<p>1 an exhibit. I don't recall that.</p> <p>2 Q: Okay. And so when you refer on page 11</p> <p>3 to, it says, Witness interviews, Baldessari and J.</p> <p>4 Morrissey, is this one of the documents that you're</p> <p>5 referring to?</p> <p>6 A: No.</p> <p>7 Q: It's not. Okay. Let me go to the next</p> <p>8 page of this exhibit and ask you, is this one of</p> <p>9 the documents that you're referring to in that</p> <p>10 fourth bullet on page 11?</p> <p>11 A: Like I said, there were 1,800 pages and</p> <p>12 that may have been one of them.</p> <p>13 Q: I'm just trying to understand kind of</p> <p>14 what you had access to. That's all.</p> <p>15 A: I have read that, yes. That's your</p> <p>16 question. Yes, I have reviewed that.</p> <p>17 Q: Okay. And is it your understanding</p> <p>18 that this is Captain Morrissey's statement post</p> <p>19 that incident?</p> <p>20 A: That's what it has, Captain James</p> <p>21 Morrissey, at the bottom.</p> <p>22 Q: Okay, so in the context of the bullet</p>

CAPTAIN SAMUEL STEPHENSON, J.D.

August 11, 2025

<p style="text-align: right;">Page 178</p> <p>1 number four on page 11, is this what you're</p> <p>2 referring to or do you think there's something else</p> <p>3 that constitutes whatever J. Morrissey may have</p> <p>4 said about the incident?</p> <p>5 A: That was one of the statements I was</p> <p>6 referring to.</p> <p>7 MR. RODGERS: Are you marking that,</p> <p>8 Jim?</p> <p>9 MR. CHAPMAN: It's been previously</p> <p>10 marked as Exhibit 17 to Mr. Morris's deposition on</p> <p>11 April 28th. I don't see any purpose in marking it,</p> <p>12 but we will provide a copy to the court reporter so</p> <p>13 that it can be included in this transcript.</p> <p>14 MR. RODGERS: Can you just keep it</p> <p>15 available for follow-up?</p> <p>16 MR. CHAPMAN: Sure.</p> <p>17 MR. RODGERS: Can you just keep it</p> <p>18 available?</p> <p>19 MR. CHAPMAN: Yes. I'm sorry if you</p> <p>20 didn't hear me, but I said yes, sure.</p> <p>21 I would like to take a brief recess. I</p> <p>22 think we've been going close to an hour anyway.</p>	<p style="text-align: right;">Page 180</p> <p>1 he did not carry out a vessel inspection to inspect</p> <p>2 the autopilot.</p> <p>3 And as I understand it, you were able</p> <p>4 to go aboard the vessel sometime in the last couple</p> <p>5 of weeks, correct?</p> <p>6 A: I went aboard the vessel, yes, for an</p> <p>7 inspection.</p> <p>8 Q: Yeah, and you looked at the autopilot,</p> <p>9 right?</p> <p>10 A: Yes.</p> <p>11 Q: I think there's a couple of photos in</p> <p>12 your report, at least showing what it looks like in</p> <p>13 the upper wheelhouse, correct?</p> <p>14 A: I put some photos in from the upper</p> <p>15 wheelhouse. That's correct.</p> <p>16 Q: Yeah, so what did you learn from your</p> <p>17 inspection of the autopilot that bears on your</p> <p>18 opinions in this case?</p> <p>19 A: Went over the changeover procedures</p> <p>20 from autopilot to the NFU steering.</p> <p>21 Q: To see that you could do that?</p> <p>22 A: So, I make sure I understood the proper</p>
<p style="text-align: right;">Page 179</p> <p>1 So, why don't we take a 10-minute recess just to</p> <p>2 see if you have any additional questions, Sam, and</p> <p>3 then we can go back on the record, and if not,</p> <p>4 Mr. Rogers has any questions he can ask them.</p> <p>5 THE VIDEOGRAPHER: Counselors, we're</p> <p>6 going off the record. The time is 2:43.</p> <p>7 (WHEREUPON, A BRIEF RECESS WAS TAKEN.)</p> <p>8 THE VIDEOGRAPHER: Counselors,</p> <p>9 gentlemen, witness, we're going back on the record.</p> <p>10 The time is 2:58.</p> <p>11 Please proceed.</p> <p>12 BY MR. CHAPMAN:</p> <p>13 Q: Sam, if you could take a look at your</p> <p>14 report, again, Exhibit 1. I want to ask you about</p> <p>15 the kind of the final piece of it, starting on page</p> <p>16 65 at the bottom where it says, Rebuttal report on</p> <p>17 Simrad autopilot installed on the Tug Mackenzie</p> <p>18 Rose.</p> <p>19 A: Yes, I see that.</p> <p>20 Q: There's a couple of pages with some</p> <p>21 images in it right after it, and just the very last</p> <p>22 thing it says, the last sentence says, Furthermore,</p>	<p style="text-align: right;">Page 181</p> <p>1 procedure for doing it, and also to determine the</p> <p>2 visibility up on the upper wheelhouse for the</p> <p>3 barge, even though you could, just looking at the</p> <p>4 photos, you could tell the visibility was very good</p> <p>5 from up there, and it was.</p> <p>6 Q: Yeah, okay.</p> <p>7 So, I want to just understand in terms</p> <p>8 of the inspection of the autopilot, was the vessel</p> <p>9 underway when you inspected the autopilot?</p> <p>10 A: The vessel was at the dock.</p> <p>11 Q: Okay, so were you able to operate the</p> <p>12 autopilot system while it was underway?</p> <p>13 A: I did not go underway on the vessel.</p> <p>14 Q: Okay, so you took those photos of the</p> <p>15 autopilot system in the upper wheelhouse, right?</p> <p>16 A: That's correct. Yeah, I took those</p> <p>17 photos, yes.</p> <p>18 Q: And did you do anything else as part of</p> <p>19 the inspection of the autopilot?</p> <p>20 A: I looked at the autopilots, and I went</p> <p>21 through looking at some of the different screens on</p> <p>22 the autopilot, and that was about it.</p>

CAPTAIN SAMUEL STEPHENSON, J.D.

August 11, 2025

Page 182	Page 184
<p>1 Q: So, you turned the autopilot on, or</p> <p>2 somebody turned it on?</p> <p>3 A: Yeah.</p> <p>4 Q: And when you say you went through the</p> <p>5 screens, different screens on the autopilot, can</p> <p>6 you tell us what you looked at?</p> <p>7 A: Yeah, I was going, the mates were</p> <p>8 explaining to me, excuse me, the port captain and</p> <p>9 the captain were explaining to me the various ways</p> <p>10 the autopilot works.</p> <p>11 Q: So, you got some information directly</p> <p>12 from them about the operation of the autopilot, is</p> <p>13 that right?</p> <p>14 A: Yes.</p> <p>15 Q: Have you ever used a Simrad system?</p> <p>16 A: You're asking me a question I don't</p> <p>17 know. I can't answer that. I have been on, like I</p> <p>18 said, thousands of ships and vessels, tugboats, in</p> <p>19 and out of Port Everglades.</p> <p>20 I don't know what system they have.</p> <p>21 It's not something I normally look at.</p> <p>22 Q: Gotcha. It's just something you just</p>	<p>1 A: Yes, that's correct. It was sent to</p> <p>2 me.</p> <p>3 Q: Okay. I saw it was listed as one of</p> <p>4 the items that you had reviewed, right?</p> <p>5 A: Yes.</p> <p>6 Q: So, if I understand the response you</p> <p>7 had to Mr. Furborough's opinion about the autopilot</p> <p>8 on the Mackenzie Rose, number one, you point out</p> <p>9 that there is some indication from this record,</p> <p>10 this screen shot, that Morrissey has presumably</p> <p>11 reported to Captain Miller that the autopilot was</p> <p>12 not completely turned off, is that correct?</p> <p>13 A: Yeah, it says right here, Mate James</p> <p>14 Morrissey reports autopilot was not completely</p> <p>15 turned off. He was able to correct and switch back</p> <p>16 over to hand steering.</p> <p>17 Q: And then a second, there's a reference</p> <p>18 to a 2692 form that was submitted on June 25th,</p> <p>19 2024, that says the OOW had failed to properly</p> <p>20 switch to hand steering, correct?</p> <p>21 A: Yes, that's correct.</p> <p>22 Q: Okay.</p>
Page 183	Page 185
<p>1 wouldn't normally pay attention to, other than it</p> <p>2 has an autopilot system?</p> <p>3 A: Correct.</p> <p>4 Q: Okay, anything else you learned from</p> <p>5 the inspection of the autopilot, did you have</p> <p>6 anything?</p> <p>7 A: They had the manuals. I went through</p> <p>8 the manuals. They showed me where the manual was</p> <p>9 down in the lower wheelhouse.</p> <p>10 I looked at the autopilot in the lower</p> <p>11 wheelhouse, which was the same as the autopilot in</p> <p>12 the upper wheelhouse.</p> <p>13 Q: Is the only one that you turned on and</p> <p>14 kind of went through those screens the one that was</p> <p>15 in the upper wheelhouse?</p> <p>16 A: Yes.</p> <p>17 Q: Did you ask for a photocopy of the</p> <p>18 Simrad manual?</p> <p>19 A: Not a photocopy, no, but I have a copy</p> <p>20 here.</p> <p>21 Q: Okay, you obtained a copy of it in</p> <p>22 connection with your work in this matter?</p>	<p>1 A: And that would be James Morrissey.</p> <p>2 Q: All right, and those are the only</p> <p>3 things that you point to in rebuttal to</p> <p>4 Mr. Furborough's opinion, correct?</p> <p>5 A: Yes. In addition, in this one, yes.</p> <p>6 Q: On page 21 of your report, it's in the</p> <p>7 very first paragraph, it talks about findings of a</p> <p>8 survey of other tug and barge operators in which</p> <p>9 you talked with captains and shoreside personnel,</p> <p>10 as well as your own experience as a harbor pilot in</p> <p>11 Port Everglades. And the last sentence looks like</p> <p>12 it referenced to several companies.</p> <p>13 And I just want to understand, did you</p> <p>14 talk to an individual that you understood to be</p> <p>15 employed by each of those companies?</p> <p>16 A: Yes.</p> <p>17 Q: Did you talk to them?</p> <p>18 A: It was either a captain on the vessel</p> <p>19 or shoreside personnel.</p> <p>20 Q: Okay. And were any of them captains on</p> <p>21 vessels that operate in the Port of Hampton Roads?</p> <p>22 A: That I cannot tell you. These vessels,</p>

CAPTAIN SAMUEL STEPHENSON, J.D.

August 11, 2025

<p style="text-align: right;">Page 186</p> <p>1 a lot of them go up and down the East Coast. And</p> <p>2 the companies like Moran, I think you'll find that</p> <p>3 up there, they are not local companies, but they're</p> <p>4 more East Coast companies, which go from one port</p> <p>5 to another on the US East Coast.</p> <p>6 Q: Gotcha.</p> <p>7 Did you talk to a guy named Ken Flowers</p> <p>8 with Moran?</p> <p>9 A: It's possible.</p> <p>10 Q: Do you have a list of the people that</p> <p>11 you actually spoke with at each of these companies?</p> <p>12 A: I know some of them. The captains, I</p> <p>13 don't know. Overall, no, I don't. It was just</p> <p>14 when I'm on board the ships with the captain.</p> <p>15 When we get on the ships coming in, you</p> <p>16 see, it's a one-man watch on the bridge, and it's</p> <p>17 the same thing outbound and working with the tugs.</p> <p>18 We go up there, it's a one-man watch on the bridges</p> <p>19 of when the tugs are on port. It doesn't matter.</p> <p>20 They have one person. And when you</p> <p>21 look at the setup on the upper wheelhouse of these</p> <p>22 tugs, if they have an upper wheelhouse, it is so</p>	<p style="text-align: right;">Page 188</p> <p>1 to them. It's normally, the inbound is close to an</p> <p>2 hour and a half. Voyage outbound might be 40, 50</p> <p>3 minutes.</p> <p>4 So, I was talking to the captains on</p> <p>5 board the vessel. And then, I know what their</p> <p>6 standard operating procedures are also, because I'm</p> <p>7 on board, the tug and barge is coming into Port</p> <p>8 Everglades on a regular basis. It's standard for</p> <p>9 us to be on them.</p> <p>10 Q: So, McAllister and Moran, both are in</p> <p>11 the tugboat business, right?</p> <p>12 A: Yes.</p> <p>13 Q: And I presume by its name, Bisseau is</p> <p>14 also in the tugboat business, right?</p> <p>15 A: Yes.</p> <p>16 Q: Is the same true of Dan Marine?</p> <p>17 A: Yes.</p> <p>18 Q: And OSG?</p> <p>19 A: Yes.</p> <p>20 Q: Is that an acronym for a company name?</p> <p>21 A: Overseas Shipholding Group.</p> <p>22 Q: Okay.</p>
<p style="text-align: right;">Page 187</p> <p>1 small up there. There's one chair for the, I'll</p> <p>2 say the navigator or the officer on watch. And</p> <p>3 they may have a small stool or something up there</p> <p>4 for a pilot when he's on board.</p> <p>5 Q: I just want to kind of understand this.</p> <p>6 I was under the impression that the listing of</p> <p>7 these companies were folks that you had reached out</p> <p>8 to, to interview or survey, as you say you did.</p> <p>9 Am I not understanding that correctly?</p> <p>10 A: That's correct. I talked to some of</p> <p>11 the tugboat captains, and also some of the</p> <p>12 companies there, yes, where I asked them, do you</p> <p>13 have a one-man watch on board these vessels?</p> <p>14 Q: This was outreach that you made to</p> <p>15 somebody at each of these companies to ask them</p> <p>16 that question?</p> <p>17 A: Correct, yes.</p> <p>18 Q: Did you have a set of questions that</p> <p>19 you asked each company?</p> <p>20 A: No, it was more when I was on board the</p> <p>21 ship, when I'm bringing it into the channel or</p> <p>22 outbound, I'll just start asking questions and talk</p>	<p style="text-align: right;">Page 189</p> <p>1 A: They have the tugs, the large tugs,</p> <p>2 they're called ATBs, but they're articulated tug</p> <p>3 barges.</p> <p>4 Q: All right, and then you list Gulf</p> <p>5 Oceanic Marine?</p> <p>6 A: Yes.</p> <p>7 Q: Was it a tug operator?</p> <p>8 A: Yes.</p> <p>9 Q: And then last, Shoreline Sightseeing?</p> <p>10 A: Yes. That was from -- I was just in</p> <p>11 Chicago last week and there was a tugboat pushing a</p> <p>12 barge around with several hundred people. It was a</p> <p>13 pretty good-sized tugboat.</p> <p>14 And I talked to one of their captains</p> <p>15 and asked if that, and that place went through</p> <p>16 bridges, you know, how many bridges within a</p> <p>17 two-hour tour. And there was a lot of small boat</p> <p>18 traffic. And I talked to the captain there and</p> <p>19 asked, is this a four-man bridge operation?</p> <p>20 He goes, yes, it is. That's what the</p> <p>21 Coast Guard, the COI requires. It's a one-man</p> <p>22 bridge operation.</p>

CAPTAIN SAMUEL STEPHENSON, J.D.

August 11, 2025

Page 190	Page 192
<p>1 Q: Does the COI for the Mackenzie Rose</p> <p>2 specify that it's a one-man bridge operation?</p> <p>3 A: You will not find that on the COI. It</p> <p>4 will not specify.</p> <p>5 Q: Got it. So, all of these interviews,</p> <p>6 it sounds like while you were working as a Port</p> <p>7 Everglades Harbor pilot and had access to talk to</p> <p>8 somebody about their operations, or in this other</p> <p>9 instance up in Chicago, you happened to be on a</p> <p>10 vessel and had the opportunity to make inquiry</p> <p>11 about their operations.</p> <p>12 Is that fair?</p> <p>13 A: That's correct, and I also talked to</p> <p>14 Moran Towing.</p> <p>15 Q: So, you actually reached out to Moran?</p> <p>16 A: Yes.</p> <p>17 Q: Who did you talk to at Moran?</p> <p>18 A: I don't recall.</p> <p>19 Q: Did you record your answers anywhere or</p> <p>20 the subject of your interviews with these folks?</p> <p>21 A: No, because like I said, I'm on these</p> <p>22 vessels on a regular basis to tug embargoes. I</p>	<p>1 A: Yes.</p> <p>2 Q: I'm sorry.</p> <p>3 A: And talking to a pilot.</p> <p>4 Q: And do you have a record that you kept</p> <p>5 of the conversations in that survey?</p> <p>6 A: No, I know the pilots individually. I</p> <p>7 just called them up.</p> <p>8 I know them through the American Pilot</p> <p>9 Association.</p> <p>10 Q: All right, did you talk to anyone in</p> <p>11 Norfolk?</p> <p>12 A: No.</p> <p>13 Q: Do you know any pilots in Norfolk?</p> <p>14 A: No, I tried to. I was looking for</p> <p>15 that, some pilots I would know, and there were none</p> <p>16 that I knew in Norfolk.</p> <p>17 MR. CHAPMAN: I don't have any further</p> <p>18 questions for you. Thanks for your patience. I</p> <p>19 don't know if Mr. Rogers has any follow-up, but</p> <p>20 we'll stand by.</p> <p>21 MR. RODGERS: I do.</p> <p>22</p>
Page 191	Page 193
<p>1 already know what their procedures are coming into</p> <p>2 the ports. And no, I did not because each time I</p> <p>3 asked, they gave me the same answer.</p> <p>4 It's a one-man bridge operation. And</p> <p>5 that's what I've observed for close to 19 years</p> <p>6 now, so I didn't see any reason to record anything.</p> <p>7 Q: On page 28 of your report, the second</p> <p>8 full paragraph says, In Port Everglades autopilot</p> <p>9 is used for ships, tugs, and barges, and mega</p> <p>10 yachts, et cetera. And at the end of that</p> <p>11 paragraph, it says I surveyed pilots from New York,</p> <p>12 Philadelphia, Jacksonville, Mississippi River, and</p> <p>13 Galveston.</p> <p>14 Is that separate and apart from the</p> <p>15 interviews you had that you just told us about</p> <p>16 relative to the one-man bridge operations?</p> <p>17 A: Yes.</p> <p>18 Q: Okay, so when did you do this survey?</p> <p>19 A: I called the pilots on the phone maybe</p> <p>20 a month ago. I don't recall exactly.</p> <p>21 Q: So, this was contacting the pilot's</p> <p>22 associations in each of those ports?</p>	<p>1 EXAMINATION</p> <p>2 BY MR. RODGERS:</p> <p>3 Q: Good afternoon, Captain.</p> <p>4 A: Good afternoon.</p> <p>5 Q: You may recall earlier you were asked</p> <p>6 by counsel about repairs done prior to the incident</p> <p>7 to the autopilot.</p> <p>8 Do you remember that?</p> <p>9 A: Yes.</p> <p>10 Q: And do you remember being given</p> <p>11 invoices to review from a company called Ayres,</p> <p>12 A-Y-E-R-S?</p> <p>13 A: I remember reviewing the invoices, yes.</p> <p>14 Q: Do you remember that they had come on</p> <p>15 board sometime in April of 2024?</p> <p>16 A: I recall the invoices from Ayers doing</p> <p>17 the repair on the autopilot. I do recall that,</p> <p>18 yes.</p> <p>19 Q: Okay, so you reviewed all the</p> <p>20 information that both parties have regarding the</p> <p>21 history of the repairs, correct?</p> <p>22 A: That is correct, yes.</p>

CAPTAIN SAMUEL STEPHENSON, J.D.

August 11, 2025

Page 194	Page 196
<p>1 MR. CHAPMAN: Object to form.</p> <p>2 Q: And you also reviewed all the logs with</p> <p>3 any issue with steering, correct?</p> <p>4 A: Yes, I did.</p> <p>5 Q: Now, ultimately you concluded that it</p> <p>6 was not the autopilot itself mechanically, it was</p> <p>7 something that Mr. Morrissey had done, correct?</p> <p>8 A: Yes, it was.</p> <p>9 MR. CHAPMAN: Excuse me. Let me just</p> <p>10 note my objection to the form.</p> <p>11 Q: You were asked about the January 2024</p> <p>12 incident with the pier, correct?</p> <p>13 A: Yes, I was.</p> <p>14 Q: Based on those documents, based on what</p> <p>15 you had, Carver had reported it to the Coast Guard,</p> <p>16 correct?</p> <p>17 A: Yes, they filled out a 2692 form.</p> <p>18 Q: And based on what you reviewed, there</p> <p>19 were no documents memorializing any kind of</p> <p>20 investigation by the Coast Guard, correct? On what</p> <p>21 you reviewed, is that correct?</p> <p>22 A: From the evidence where the documents I</p>	<p>1 Q: Captain Stephenson, do you see that?</p> <p>2 A: Yes.</p> <p>3 Q: It doesn't have a name on who wrote it,</p> <p>4 correct?</p> <p>5 A: Correct.</p> <p>6 Q: That is consistent with the initial</p> <p>7 story, correct, that came from Mr. Morrissey, the</p> <p>8 one he told Captain Miller, is that correct?</p> <p>9 MR. CHAPMAN: Objection to the form.</p> <p>10 A: Yes. Based on the information I have</p> <p>11 viewed, yes.</p> <p>12 Q: And is it your understanding that that</p> <p>13 set of facts is what was initially relayed to</p> <p>14 Carver from Captain Miller?</p> <p>15 MR. CHAPMAN: Objection to the form.</p> <p>16 A: Yes.</p> <p>17 Q: And Captain Miller, from your review of</p> <p>18 all the records, he did not witness the incident,</p> <p>19 correct?</p> <p>20 A: No. He was, according to his</p> <p>21 deposition, he was down below.</p> <p>22 Q: And the other crew members did not</p>
Page 195	Page 197
<p>1 reviewed, they did the 2692 form, and no action had</p> <p>2 been taken on his license.</p> <p>3 Q: Okay. You were asked about your</p> <p>4 experience.</p> <p>5 Currently, not currently, but the last</p> <p>6 19 years, you've been piloting tugs and barges,</p> <p>7 correct?</p> <p>8 A: Yes.</p> <p>9 Q: And do you know how many, approximately</p> <p>10 how many times you've done that?</p> <p>11 A: No. I guess, it's probably -- it's a</p> <p>12 real rough estimate. It's probably 400, 500, 600,</p> <p>13 somewhere there.</p> <p>14 Q: Okay.</p> <p>15 You're very familiar with tugs and</p> <p>16 barges coming into port, correct?</p> <p>17 A: Yes, I am in Port Everglades. Yes.</p> <p>18 Q: Jim, do you mind bringing up the</p> <p>19 Exhibit 17 that you showed them?</p> <p>20 MR. CHAPMAN: Yeah, let me pull it up.</p> <p>21 Do you see it?</p> <p>22 MR. RODGERS: Yes.</p>	<p>1 witness the incident, correct?</p> <p>2 A: Correct. They were down below also.</p> <p>3 Q: Is it fair to say that the only person</p> <p>4 who witnessed the incident was Mate Morrissey?</p> <p>5 MR. CHAPMAN: Objection to the form.</p> <p>6 A: Based on the documents I have reviewed,</p> <p>7 yes.</p> <p>8 Q: And from what you've reviewed, did Mate</p> <p>9 Morrissey eventually make a statement at an</p> <p>10 interview or a hearing before the Coast Guard?</p> <p>11 A: From what I have reviewed, the</p> <p>12 statement would be -- well, we have the 2692 form,</p> <p>13 and then we have the text message.</p> <p>14 Q: Okay. But you understand -- just what</p> <p>15 is your understanding --</p> <p>16 You understand that ultimately Mate</p> <p>17 Morrissey was interviewed by the Coast Guard,</p> <p>18 correct?</p> <p>19 A: Yes. Based on the text message.</p> <p>20 Q: And is it your understanding that the</p> <p>21 amended 2692 of June 25, 2024, reflected that</p> <p>22 testimony or interview?</p>

CAPTAIN SAMUEL STEPHENSON, J.D.

August 11, 2025

Page 198	Page 200
<p>1 MR. CHAPMAN: Objection to the form.</p> <p>2 A: Yes.</p> <p>3 Q: And that was a different story than</p> <p>4 what he had told Captain Miller to your</p> <p>5 understanding, correct?</p> <p>6 MR. CHAPMAN: Objection to the form.</p> <p>7 A: The story was completely different on</p> <p>8 the second 2692 form.</p> <p>9 Q: Now, you also, you understand that this</p> <p>10 office has subpoenaed the Coast Guard for that</p> <p>11 transcript, correct?</p> <p>12 A: Yes.</p> <p>13 Q: And also, that this office has</p> <p>14 subpoenaed the NTSB for that transcript, correct?</p> <p>15 A: Yes.</p> <p>16 Q: Are you holding your -- well, scratch</p> <p>17 that.</p> <p>18 Do you weigh -- excuse me, do you</p> <p>19 reserve the right to amend this report once you see</p> <p>20 the transcript?</p> <p>21 A: Yes.</p> <p>22 Q: Jim, do you have the actual 2692?</p>	<p>1 A: I didn't understand that.</p> <p>2 Q: The text messages that you referred to</p> <p>3 in the report, do you know what page they were on?</p> <p>4 I think I found them.</p> <p>5 A: Page 40?</p> <p>6 Q: Okay, 40?</p> <p>7 A: On page 52 and 53.</p> <p>8 Q: Well, getting away from those, is the</p> <p>9 2692, the amended one, is that consistent -- those</p> <p>10 facts consistent with the facts that you relied on</p> <p>11 for your conclusions?</p> <p>12 MR. CHAPMAN: Object to the form.</p> <p>13 A: Yes.</p> <p>14 Q: Okay, could you go to your conclusions</p> <p>15 on page 34? Can you just read one through five?</p> <p>16 A: My conclusions, within the bounds of</p> <p>17 reasonable operation maritime certainty, it is my</p> <p>18 opinion that one, the Mackenzie Rose was properly</p> <p>19 manned, the crew is licensed by the US Coast Guard</p> <p>20 in compliance with work rest requirements of six</p> <p>21 hours on, six hours off.</p> <p>22 Two, the watch officer acting as looked</p>
Page 199	Page 201
<p>1 MR. CHAPMAN: I don't have it available</p> <p>2 immediately.</p> <p>3 MR. RODGERS: Oh, sorry. It's in his</p> <p>4 report. I apologize. I knew I saw it.</p> <p>5 MR. CHAPMAN: Are we done with this?</p> <p>6 MR. RODGERS: Yeah, yeah.</p> <p>7 Q: If you look at the screenshot that you</p> <p>8 put on page 34 of your report.</p> <p>9 A: Okay.</p> <p>10 Q: Do you understand that to be part of</p> <p>11 the amended 2692?</p> <p>12 A: Yes. That's the second 2692.</p> <p>13 Q: And do you understand that was</p> <p>14 submitted by Carver on June 25th, 2024.</p> <p>15 Is that correct?</p> <p>16 A: That is correct.</p> <p>17 Q: And that's 10 days after the incident,</p> <p>18 correct?</p> <p>19 A: Yes.</p> <p>20 Q: You can find the text messages that we</p> <p>21 were referring to in your report. Do you have</p> <p>22 those on the page?</p>	<p>1 at was appropriate under the prevailing conditions.</p> <p>2 Three, autopilot is not prohibited for</p> <p>3 use while transiting a waterway with bridges.</p> <p>4 Four, the evidence clearly establishes</p> <p>5 that Mate Morrissey's initial statement the</p> <p>6 autopilot malfunctioned was false.</p> <p>7 Five, Mate Morrissey failed to engage</p> <p>8 the switch from auto to NFU when he thought he did.</p> <p>9 This failure by Mate Morrissey and his lack of</p> <p>10 situational awareness was the sole cause of the</p> <p>11 allision.</p> <p>12 Q: Thank you. Just getting to, just want</p> <p>13 to make sure we're clear.</p> <p>14 You inspected the tug on July 28, 2025,</p> <p>15 correct?</p> <p>16 A: I would have to check the data on that,</p> <p>17 but yes, I did inspect the tug.</p> <p>18 Q: Was Captain Lewis at the inspection?</p> <p>19 A: No, he was not. It was July 28, 2025.</p> <p>20 Yes.</p> <p>21 Q: Say what?</p> <p>22 A: The date was July 28th, 2025.</p>

CAPTAIN SAMUEL STEPHENSON, J.D.

August 11, 2025

Page 202	Page 204
<p>1 Q: Okay. And you inspected it in New</p> <p>2 York, correct?</p> <p>3 A: Yes.</p> <p>4 Q: And Captain Lewis was not there?</p> <p>5 A: He was not there.</p> <p>6 Q: Now, I want you to read on page 17, you</p> <p>7 were talking to Mr. Chapman about your survey, and</p> <p>8 that was your own personal conversations with</p> <p>9 employees or representatives of certain tug</p> <p>10 companies, correct?</p> <p>11 A: Yes.</p> <p>12 Q: And could you read the tug companies</p> <p>13 that you asked about one man bridge operations?</p> <p>14 A: Yes, page -- what page did you have</p> <p>15 that on?</p> <p>16 Q: Seven and then leading into eight,</p> <p>17 mostly seven.</p> <p>18 A: Yeah, the tug companies which I</p> <p>19 contacted with regards to one man bridge operations</p> <p>20 was McAllister Tugs, ESO Towing, Tow Boat, Dan</p> <p>21 Marine Towing, OSG, Gulf Oceanic Marine, Moran,</p> <p>22 Shoreline Sighting.</p>	<p>1 Q: And you then conducted a survey of</p> <p>2 pilot associations, correct?</p> <p>3 A: Yes.</p> <p>4 Q: Okay. That was in addition to what</p> <p>5 your assessment is on what can be done and what</p> <p>6 cannot be done, correct?</p> <p>7 A: Correct. And also, based on my</p> <p>8 personal experience.</p> <p>9 Q: Okay, could you just go to page eight</p> <p>10 and tell us which associations that you surveyed</p> <p>11 for this case?</p> <p>12 A: Sandy Hook Pilot Association, New York,</p> <p>13 American Harbor and Docking Pilot Association,</p> <p>14 Philadelphia, St. John's Bar Pilot Association,</p> <p>15 Jacksonville, Crescent River Pilot Association,</p> <p>16 Mississippi River, Galveston Pilots, Galveston and</p> <p>17 Port Everglades Pilot Association, Fort Lauderdale.</p> <p>18 Q: And the documents reviewed, did that</p> <p>19 include, to your knowledge, transcripts of the</p> <p>20 depositions taken in this case?</p> <p>21 A: Yes.</p> <p>22 Q: Other than the damage depositions,</p>
Page 203	Page 205
<p>1 Q: Okay. And that, what you call survey</p> <p>2 was in -- that was in addition to the CFR and the</p> <p>3 SMS of Carver that allows one man bridge operations</p> <p>4 depending on certain conditions, correct?</p> <p>5 MR. CHAPMAN: Object to the form.</p> <p>6 A: Yeah, that's correct. And that's</p> <p>7 customary in the industry just to have a one-man</p> <p>8 bridge on a tug and barge.</p> <p>9 Q: In your review of -- you reviewed</p> <p>10 Captain Lewis's report?</p> <p>11 A: Yes.</p> <p>12 Q: In your review of his report, did he do</p> <p>13 any kind of a similar survey?</p> <p>14 A: Based on what I have reviewed, no, he</p> <p>15 did not.</p> <p>16 Q: Okay. And then based on the, on the</p> <p>17 CFR and, and the SMS, the tugs and barges can</p> <p>18 navigate rivers and water, waterways using</p> <p>19 autopilots when conditions are appropriate.</p> <p>20 Is that one of your conclusions?</p> <p>21 MR. CHAPMAN: Object to the form.</p> <p>22 A: Yeah.</p>	<p>1 correct? Like the engineers dealing with the</p> <p>2 damaged bridge, right, you didn't look at that?</p> <p>3 A: No, I did not.</p> <p>4 Q: And did the reading the depositions of</p> <p>5 Jarkeis, Morrissey, Sharif Porter, Eric Warlordy,</p> <p>6 Leonard Baldessari, Brian Moore, Alex O'Rourke,</p> <p>7 Jason McGrath, Nicholas Larraway, did those -- did</p> <p>8 reading those transcripts -- was that part of how</p> <p>9 you arrived at your conclusions?</p> <p>10 A: Yes.</p> <p>11 Q: And then, you were provided with the</p> <p>12 vessels, logs that were made a part of this</p> <p>13 lawsuit, correct?</p> <p>14 A: Yes.</p> <p>15 Q: Were those logs part of educating you</p> <p>16 as to the facts in this case, so you could make</p> <p>17 conclusions?</p> <p>18 A: Yes.</p> <p>19 Q: And you also looked at various</p> <p>20 third-party repair invoices to the autopilot prior</p> <p>21 to the incident, correct?</p> <p>22 A: Yes, that's correct.</p>

CAPTAIN SAMUEL STEPHENSON, J.D.

August 11, 2025

Page 206	Page 208
<p>1 Q: Just for the record, again, the two</p> <p>2 what appear to be typos, you've already testified,</p> <p>3 the front page is June 8th, that's a typo, it's</p> <p>4 supposed to be August 8th?</p> <p>5 A: Yes, that was a typo I made.</p> <p>6 Q: And that's the date of your report,</p> <p>7 correct?</p> <p>8 A: Yes.</p> <p>9 Q: And if you go to page 35, that's the</p> <p>10 date of your signature, correct?</p> <p>11 A: That's correct, yes.</p> <p>12 Q: August 8, 2025, right?</p> <p>13 A: Yes.</p> <p>14 Q: And you also changed the typo, I don't</p> <p>15 know what page, but you changed, you had put in 10</p> <p>16 hours, you meant 14?</p> <p>17 A: That was page 18. I had 10, and the</p> <p>18 correct number was 14 hours a day.</p> <p>19 Q: And if you could go to page 21 and 22,</p> <p>20 where you have a CFR 46, CFR 140.630, look out, do</p> <p>21 you see that?</p> <p>22 A: I do.</p>	<p>1 second session 1980 at 7-8.</p> <p>2 Q: Okay.</p> <p>3 In part, did your conclusions rely on</p> <p>4 that section?</p> <p>5 A: Yes.</p> <p>6 Q: And page 25, you cite 33 CFR 83.05 look</p> <p>7 out rule five.</p> <p>8 Do you see that?</p> <p>9 A: Yes.</p> <p>10 Q: And 46 CFR section 140.630 look out,</p> <p>11 correct?</p> <p>12 A: Yes.</p> <p>13 Q: Is it -- was Carver's policy consistent</p> <p>14 with those regulations?</p> <p>15 MR. CHAPMAN: Object to the form.</p> <p>16 Q: You can answer.</p> <p>17 A: Yes, they were consistent, very</p> <p>18 consistent with the regulations.</p> <p>19 Q: And was a review of those regulations</p> <p>20 and Carver's operations from what materials you</p> <p>21 were given? Did form at least in part the basis of</p> <p>22 your conclusions?</p>
Page 207	Page 209
<p>1 Q: And did you base your opinions at least</p> <p>2 in part with that CFR provision?</p> <p>3 A: Yes.</p> <p>4 Q: And then, if you go to page 22, the</p> <p>5 safety management system, section 7.16, which I</p> <p>6 think leads into page 23, do you see that?</p> <p>7 A: Yes, I do.</p> <p>8 Q: Are your conclusions based in part by</p> <p>9 that TSMS provision regarding look out?</p> <p>10 A: Yes.</p> <p>11 Q: And if you go to page 24, the one-man</p> <p>12 bridge operations, is that a quote from the TSMS of</p> <p>13 what we call SMS of Carver?</p> <p>14 A: That is correct, yes.</p> <p>15 Q: And to your -- is that based on a CFR</p> <p>16 provision to your knowledge?</p> <p>17 MR. CHAPMAN: Object to the form.</p> <p>18 A: To my knowledge, no.</p> <p>19 Q: And where is that -- what is that based</p> <p>20 on?</p> <p>21 A: It was in the Carver's manual and says</p> <p>22 Senate report end period 96-979, 96 Congress,</p>	<p>1 A: Yes, those are my conclusions, yes.</p> <p>2 Q: And if you go to 26, you cited 46</p> <p>3 section 140.670 of the CFR use of autopilot.</p> <p>4 A: Yes.</p> <p>5 Q: And are your conclusions based in part</p> <p>6 by a review of that CFR provision?</p> <p>7 A: A review of the CFR positions, the CFR,</p> <p>8 and also the way the barge was manned by Mate</p> <p>9 Morrissey who had all the proper credentials for</p> <p>10 using the autopilot.</p> <p>11 Q: Thank you.</p> <p>12 Now, in page 28, where you say, I</p> <p>13 surveyed pilots. Is that just -- is that a repeat</p> <p>14 of what you earlier had written?</p> <p>15 A: It is a repeat, yes. Just it's being</p> <p>16 reiterated a second time there, pilots, which were</p> <p>17 surveyed.</p> <p>18 MR. RODGERS: Okay. I have no further</p> <p>19 questions. No further follow-up questions.</p> <p>20 Thank you, Captain, for your help and</p> <p>21 your, your assistance at this deposition. I don't</p> <p>22 know if there's follow-up from counsel or not.</p>

CAPTAIN SAMUEL STEPHENSON, J.D.

August 11, 2025

<p style="text-align: right;">Page 210</p> <p>1 Are we done?</p> <p>2 THE VIDEOGRAPHER: Madam [sic] court</p> <p>3 reporter, do you have anything to add for the</p> <p>4 record?</p> <p>5 THE COURT REPORTER: No.</p> <p>6 THE VIDEOGRAPHER: Counselors, does</p> <p>7 anybody want the video sync to their transcript?</p> <p>8 Any of the counselors?</p> <p>9 MR. RODGERS: Go ahead.</p> <p>10 THE VIDEOGRAPHER: If not, we'll just</p> <p>11 archive it.</p> <p>12 MR. RODGERS: I do need a rough draft</p> <p>13 if I can get one.</p> <p>14 THE COURT REPORTER: Sure. Yeah, I can</p> <p>15 do a rough draft for you. How quickly do you need</p> <p>16 that; ASAP?</p> <p>17 MR. RODGERS: Tonight but tomorrow</p> <p>18 might do.</p> <p>19 THE COURT REPORTER: Okay. And does</p> <p>20 anybody else want a copy of this?</p> <p>21 MR. CHAPMAN: I mean, we're ordering a</p> <p>22 copy. Yes.</p>	<p style="text-align: right;">Page 212</p> <p>1 - CERTIFICATE OF NOTARY -</p> <p>2</p> <p>3 I, GARRETT LORMAN, Notary Public,</p> <p>4 before whom the foregoing testimony was taken, do</p> <p>5 hereby certify that the witness was duly sworn by</p> <p>6 me; that said testimony is a true record of the</p> <p>7 testimony given by said witness; that I am neither</p> <p>8 counsel for, related to, nor employed by any of the</p> <p>9 parties to this action, nor financially or</p> <p>10 otherwise interested in the outcome of the action;</p> <p>11 and that the testimony was reduced to typewriting</p> <p>12 by me or under my direction.</p> <p>13 This certification is expressly</p> <p>14 withdrawn upon the disassembly or photocopying of</p> <p>15 the foregoing transcript, including exhibits,</p> <p>16 unless disassembly or photocopying is done under</p> <p>17 the auspices of Olender Reporting, Inc*, and the</p> <p>18 signature and original seal is attached thereto.</p> <p>19 Dated: 08/25/2025</p> <p>20</p> <p style="text-align: center;"><i>Garrett Lorman</i></p> <p style="text-align: center;">GARRETT LORMAN, Notary Public</p> <p>21</p> <p>22</p>
<p style="text-align: right;">Page 211</p> <p>1 MR. RODGERS: Same. Yeah, we're</p> <p>2 ordering a regular copy, and then the rough draft</p> <p>3 as well.</p> <p>4 THE COURT REPORTER: Okay.</p> <p>5 MR. RODGERS: Are we done?</p> <p>6 THE VIDEOGRAPHER: Counselors, we're</p> <p>7 going off the record. The time is 3:41.</p> <p>8 (WHEREUPON, THE DEPOSITION WAS</p> <p>9 CONCLUDED AT 3:41 P.M.)</p> <p>10 (SIGNATURE NOT WAIVED.)</p> <p>11 (EXHIBITS RETAINED.)</p> <p>12</p> <p>13</p> <p>14</p> <p>15</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p>	<p style="text-align: right;">Page 213</p> <p>1 Errata Sheet</p> <p>2 NAME OF CASE: In the Matter of Coeymans Marine Towing, LLC</p> <p>3 DATE OF DEPOSITION: 08/11/2025</p> <p>4 NAME OF WITNESS: Captain Samuel Stephenson, J.D.</p> <p>5 Reason Codes: 1. To clarify the record.</p> <p>6 2. To conform to the facts.</p> <p>7 3. To correct transcription errors.</p> <p>8 Page ____ Line ____ Reason ____</p> <p>9 From ____ to ____</p> <p>10 Page ____ Line ____ Reason ____</p> <p>11 From ____ to ____</p> <p>12 Page ____ Line ____ Reason ____</p> <p>13 From ____ to ____</p> <p>14 Page ____ Line ____ Reason ____</p> <p>15 From ____ to ____</p> <p>16 Page ____ Line ____ Reason ____</p> <p>17 From ____ to ____</p> <p>18 Page ____ Line ____ Reason ____</p> <p>19 From ____ to ____</p> <p>20 Page ____ Line ____ Reason ____</p> <p>21 From ____ to ____</p> <p>22 Page ____ Line ____ Reason ____</p> <p>23 From ____ to ____</p> <p>24</p> <p>25 CAPTAIN SAMUEL STEPHENSON, J.D.</p>

CAPTAIN SAMUEL STEPHENSON, J.D.

August 11, 2025

Page 214	
1	Errata Sheet
2	NAME OF CASE: In the Matter of Coeymans Marine Towing, LLC
3	DATE OF DEPOSITION: 08/11/2025
4	NAME OF WITNESS: Captain Samuel Stephenson, J.D.
5	Reason Codes: 1. To clarify the record.
6	2. To conform to the facts.
7	3. To correct transcription errors.
8	Page ____ Line ____ Reason ____
9	From ____ to ____
10	Page ____ Line ____ Reason ____
11	From ____ to ____
12	Page ____ Line ____ Reason ____
13	From ____ to ____
14	Page ____ Line ____ Reason ____
15	From ____ to ____
16	Page ____ Line ____ Reason ____
17	From ____ to ____
18	Page ____ Line ____ Reason ____
19	From ____ to ____
20	Page ____ Line ____ Reason ____
21	From ____ to ____
22	Page ____ Line ____ Reason ____
23	From ____ to ____
24	____
25	CAPTAIN SAMUEL STEPHENSON, J.D.
Page 215	
1	STATE OF _____)
2) ss.
3	COUNTY OF _____)
4	
5	I, CAPTAIN SAMUEL STEPHENSON, J.D., declare under penalty of
6	perjury that I have read the foregoing transcript, and
7	I have made any corrections, additions, or deletions
8	that I was desirous of making; that the foregoing is a
9	true and correct transcript of my testimony contained
10	therein.
11	EXECUTED this ____ day of _____,
12	20____, at _____, _____.
	(City) (State)
13	
14	
15	
16	
17	____
18	CAPTAIN SAMUEL STEPHENSON, J.D.
19	
20	
21	
22	
23	
24	
25	

CAPTAIN SAMUEL STEPHENSON, J.D.

August 11, 2025

1	11:08 43:18	49:13 63:4 84:18 85:21 92:19 101:6 108:10 148:12 152:22 157:20 165:17	1:17 129:22	2025 5:8 22:11 201:14,19,22 206:12
1 21:15,16 22:6 23:1,12 73:15 170:21 179:14	11:23 44:1		1:48 130:4	21 156:8 157:8 185:6 206:19
1,000-foot-long 141:16	11:24 45:15	15th 24:8,20 25:2, 6,11,16 29:1 42:1 47:2,12 49:20 53:18 54:12 55:2 58:9,13,19 72:5,16 73:1 77:17 127:2,7 150:13	2	22 103:16 206:19 207:4
1,100-foot 138:2	11:39 45:19		2.1 125:6	23 47:7 108:2,4 207:6
1,800 158:2 173:17 174:21 175:22 177:11	11:55 64:1		2.3 125:8	24 61:2,9 114:16 207:11
1.9 135:17	12 82:4,9,11,15 153:4	16 88:9,10	20 129:9,17	25 10:18 11:18 197:21 208:6
10 11:21 12:1,8, 13,18 13:1 14:15 26:16 44:17,19 63:12 77:7 111:12 127:12 129:14 174:10 199:17 206:15,17	120 140:13 141:4	17 92:7 176:12 178:10 195:19 202:6	200 138:4	25th 184:18 199:14
	125 140:13 160:2	17th 19:21 20:7,12 159:2	2000 50:3 169:16	26 114:18 209:2
	125-foot 140:19	18 26:13 206:17	2013 170:5	2682 58:17
	12:12 64:5	180-foot 138:5 140:6,9, 17,18	2023 47:11	2692 33:4 34:2 94:16 95:13 118:7,10,15 120:4 124:1 148:1 173:11, 13,22 184:18 194:17 195:1 197:12,21 198:8,22 199:11,12 200:9
	14 26:18,20 126:3 206:16, 18		2024 24:8,11,20 25:2,6,11,16 29:2 42:2 47:2,13 48:2 49:14,20 53:18 54:12 55:2 58:9,19 72:5,16 73:1 77:17 78:9 84:18 92:19 101:6 108:11 126:3 127:2 148:12 150:13 152:22 156:8 157:8,20 184:19 193:15 194:11 197:21 199:14	
10-minute 179:1	140 53:1,2			
100% 8:2,3	140.630 206:20 208:10	1800 81:18		
10:33 5:9	140.670 209:3	19 95:22 191:5 195:6		
11 5:8 51:11,18, 19 53:2 78:7 144:13 175:6 177:2,10 178:1	144 51:9,16 53:1	1980 208:1		
	14th 24:11 127:7	1990 169:14,18		
	15 43:12,15,16			

CAPTAIN SAMUEL STEPHENSON, J.D.

August 11, 2025

64:14 28 11:6,8,10 117:5,17 164:17,21 191:7 201:14, 19 209:12 28th 178:11 201:22 29 123:14 2:24-CV-00490 5:7 2:43 179:6 2:58 179:10 <hr/> 3 <hr/> 3,000 160:19 30 120:16 124:15 129:7 300-foot 70:7 138:9 31 125:5 33 208:6 330 117:9 34 199:8 200:15 35 206:9	360-degree 55:6 97:18 112:22 38 130:16 3:41 211:7,9 <hr/> 4 <hr/> 4.05-1 145:2 40 134:2 188:2 200:5,6 40-some 21:3 400 195:12 405-1 144:19 41 137:5,9 42 139:16 171:1 45 129:7 143:9 144:19 145:2 450 139:18 46 206:20 208:10 209:2 <hr/> 5 <hr/> 5.5 32:19	50 138:7 188:2 500 139:19 195:12 51 144:8,12 52 200:7 53 200:7 54 153:3 55 138:10 <hr/> 6 <hr/> 60 161:12 60- 141:4 600 195:12 63 154:9 65 179:16 67 22:18 <hr/> 7 <hr/> 7-8 208:1 7.16 207:5 70 161:12 165:5	70-foot 141:4 700 138:7 <hr/> 8 <hr/> 8 206:12 80 75:6 83.05 208:6 8th 22:11 73:21, 22 74:4,10,15 206:3,4 <hr/> 9 <hr/> 90% 128:9 96 207:22 96-979 207:22 <hr/> A <hr/> A&m 27:21 A-L-L-I-S-I-O-N 71:16 A-Y-E-R-S 193:12 a.m. 5:9 ability 99:4	able 11:14 35:10 98:14 100:3 112:19 113:1, 3,5,18 124:16 173:20 180:3 181:11 184:15 aboard 24:7,19 25:16 41:21 42:1 65:13 90:10 92:16 116:5 125:15 162:5, 8 180:4,6 absolutely 90:13 academies 66:7 Academy 27:16,21 access 177:14 190:7 accessibility 110:10 accessible 110:2 accommodatio n 16:7 according 123:18 196:20 account 172:8 accounts 153:4 accurate 9:18,22 154:5, 8
---	--	--	---	--

CAPTAIN SAMUEL STEPHENSON, J.D.**August 11, 2025**

acronym 188:20	additional 97:21 98:11 99:1 100:22 111:14 179:2	52:21 58:6 70:22 82:20 83:14 131:9 137:15 143:17 144:2,22 148:12 156:11 162:1	13,17 30:4,8 32:4,11 33:1, 9,11,14 34:7, 9,12,18,22 35:5,9,17,20 36:1 38:13 41:10 47:13 48:2,6,8 55:1, 3 56:6,13,19, 20,21 57:7,20 58:8,19 59:2,4 61:3,6,10 68:2 71:15 73:12 77:17,22 78:10 83:2,7, 11,15,17 84:13,17 86:19,22 87:2, 7,17 90:15 92:12,19 96:8 103:6 110:20 132:16,19 144:18 145:2 148:12 152:22 157:21 201:11	44:16 203:3 altered 33:1 ambiguous 60:12 amend 198:19 amended 197:21 199:11 200:9 American 192:8 204:13 amount 135:21 anchor 14:6,8 Angeles 5:12 angle 136:2,11 172:6 annex 51:17 answer 8:9,14 14:22 25:12 30:21 37:22 44:8 46:18 49:12 50:15,19,20 51:3,5,20 53:20 59:6,7 67:12 72:12, 19 78:21 79:8, 14 80:3 83:16 91:7 94:5,7 95:6,19,20 102:15,22 105:22 107:20 109:14 119:2
act 135:22	addressed 130:9,18	administered 61:1	ahead 27:12 30:20, 21 69:2 91:22 94:7 116:7 127:21 132:10,13 157:12 210:9	
acting 55:9,11 200:22	advice 81:11 123:8	advisor 162:12,18	alcohol 61:1,9 150:20	
action 5:6 154:12,17, 22 155:6,10, 22 156:1,14 157:5 195:1	advisory 162:5	after 6:15 33:9 34:7,12,22 49:13 52:22 56:20 61:6 86:21 87:6,7 118:4 119:9 132:16,19,20 150:11,14 154:22 157:7, 18,20 160:15 169:15,17 179:21 199:17	Alex 205:6 allegation 14:17 83:2 allegations 12:10,15 alleged 47:10 82:18, 22 allegedly 84:2,6,14 128:17 allide 82:20 allided 12:6 29:6 32:13,15 33:5 57:3 70:4 82:18 allision 13:19 14:15, 18,19 27:8,11 28:21 29:11,	
active-duty 169:5,9				
activities 65:4				
activity 67:15				
acts 104:11				
actual 126:7,19 127:5 198:22				
actually 53:1 61:7 74:15 82:20 86:18 123:13 162:21 164:4 175:2 186:11 190:15	afternoon 127:20 129:1 158:14,18 193:3,4			
add 210:3	afterwards 121:15			
added 110:14 111:18 113:10,14,20	against 51:11 154:12 155:6,22 156:1,14			
addition 137:9 185:5 203:2 204:4	agree 30:10 34:19			

CAPTAIN SAMUEL STEPHENSON, J.D.**August 11, 2025**

122:18 127:1 135:16 145:19 151:16 152:7, 10 158:6 166:20 175:11 182:17 191:3 208:16 answered 60:17 65:20 86:16 105:17, 18 108:1 132:13 151:12,14,15, 19 152:5,6,9, 19 157:10,11 answering 8:10 61:22 69:1 answers 7:21 190:19 anybody 25:4,9 56:11 58:7 63:14 87:3 111:7 128:11 210:7, 20 anyone 58:12 192:10 anything 27:3,5,14 28:11 29:11 34:11 35:13 47:1,9,21 52:21 54:16 58:15 67:6 69:16 72:1 75:21 78:17 79:4,10,22 97:14 98:16 103:9,12 104:18 105:10	106:2 115:7, 12 139:6 154:20 157:7, 19 163:12 173:13 174:2, 15 181:18 183:4,6 191:6 210:3 AP70 143:12 apologize 72:13 171:10 172:16 199:4 apparently 149:2 appear 172:21 206:2 applicable 104:9 apply 143:20 144:6 appraisal 98:14 100:4 113:1,9,11 appraising 110:19 apprenticeship 161:2 approached 32:18 38:5 114:12 approaching 36:3,12 approximately 10:17 11:22 14:15 32:19 75:6 117:9 135:17 161:13 170:1 195:9	April 178:11 193:15 archive 210:11 area 17:18 70:6 103:5 137:14 areas 15:9,15 116:21 143:19 144:4 argument 45:5 52:3 arrival 93:11 arrived 205:9 art 83:8,9,12 articles 27:2,3 articulated 189:2 ASAP 210:16 ask 18:15 27:7 28:18 42:7 48:10,17 50:1, 5,9 52:16 53:10 56:1 72:2 73:14,21 79:19 83:9 90:16 101:3 123:6 128:5 132:5 142:16 172:20 177:8 179:4,14 183:17 187:15	asked 23:3 24:22 53:14 60:17 65:19 85:4,10 88:7 105:16 107:22 114:18,20 133:22 134:1 151:12,14,19 152:5,6,19 157:10,11 170:22 173:2 175:8 187:12, 19 189:15,19 191:3 193:5 194:11 195:3 202:13 asking 20:22 31:7 50:2 52:13 54:3 72:1 74:7,12 83:8 84:7 107:20 119:6 123:4 126:6 128:12 145:15 146:2 156:21 182:16 187:22 asks 58:10 asserting 144:17 assess 104:15 assessment 30:8,17 31:4, 5,8 111:6,15 204:5 assessments 30:11 32:8 67:9,10	assignment 82:6,12,14 assistance 209:21 Association 165:16 167:3 192:9 204:12, 13,14,15,17 associations 191:22 204:2, 10 assume 7:13 137:13, 15 assuming 11:10 139:20 ATBS 189:2 attention 37:12 39:4,10 54:19 110:11 183:1 attorney 5:17 25:13 50:10 attorneys 5:15 attribute 124:10 attributed 121:19 122:10 audio 76:2 August 5:8 74:15 206:4,12 authored 21:14 27:14,
--	--	--	---	---

CAPTAIN SAMUEL STEPHENSON, J.D.

August 11, 2025

18 122:15 124:11 authority 14:19 auto 47:17 125:17 201:8 automatic 144:3 automobile 159:10 autopilot 12:11 18:20 19:1,4,18 20:4,7,10 27:4 28:14 37:10, 13,19 38:4,8, 17,21 39:1,6, 9,12 40:10,15, 20 41:2,9 47:2,18,19 48:5 49:5,19 53:17 54:5,11 65:8,11 68:12, 18 69:6,11,22 70:19 71:2,9 72:4,16 73:7 80:1 85:9,12, 16 86:8 107:1, 3,4,8,15,16,18 114:19 115:1, 10,18,22 116:1,6,10,14, 19,20,21 117:19 121:19 122:11 134:1 140:15,22 141:8,14,16, 18,20 142:7, 12,16,21 143:9,13,18	162:1 166:5 179:17 180:2, 8,17,20 181:8, 9,12,15,19,22 182:1,5,10,12 183:2,5,10,11 184:7,11,14 191:8 193:7, 17 194:6 201:2,6 205:20 209:3, 10 autopilot's 47:11 48:1,12 autopilots 18:17 71:6 181:20 203:19 AV 7:22 averaging 10:17 aware 27:10 28:20 53:15 54:6,9 58:15 110:9 138:13 154:16 155:8 awareness 37:8 39:5,8 40:2 92:2,4 112:13 113:19 133:20 201:10 Ayers 193:16 Ayres 193:11 <hr/> B <hr/> back	12:20 27:13 43:2,22 44:3,5 45:2,3,11,13, 18 46:20 48:10 50:21 52:2 53:4 64:4,8 86:13 108:6 112:19, 20 120:9 130:3 132:5 135:8 168:20, 21 179:3,9 184:15 background 26:2 backgrounds 25:18 backing 35:3 132:22 133:5 136:1 bad 129:12 Baldessari 80:6 81:4,8 120:10 124:6 147:2 148:13 175:7,21 177:3 205:6 Bar 204:14 barely 34:14 barge 16:11 28:22 29:5 33:5 59:9 82:18 84:9,18 99:7,9,19,21 100:7 101:6 125:2 131:11 140:2 145:11,	12,16,21 146:1 181:3 185:8 188:7 189:12 203:8 209:8 bargeman 147:16 barges 69:6 142:7 189:3 191:9 195:6,16 203:17 bascule 159:12 base 87:13 103:7 168:13,14,15, 16,19 170:12 207:1 based 7:13 29:10 33:10 37:3 48:8 57:1,8 61:4,12,20 64:13 73:3 86:20 87:5 88:19 95:7 96:9 103:8 104:21 105:13 106:6 118:2,6, 7 124:21 129:5 135:7, 12 136:12 137:1,22 139:12,20 143:22 145:3 157:3 164:22 194:14,18 196:10 197:6, 19 203:14,16 204:7 207:8,	15,19 209:5 bases 101:3 basically 76:15 89:7 159:16 basis 23:7,11 31:22 32:4 65:2 111:17 142:1 188:8 190:22 208:21 beam 138:5,6 139:13,21 140:6,9,12,17, 18 141:3,5 142:10 161:12 171:15,17,20 172:15 beams 138:10 bear 28:13 bears 180:17 beautiful 111:12 became 160:16 before 7:14,19 9:2 14:16 26:9 30:17 33:4,9, 10,13 34:7,8, 12,18,21 35:3, 19 38:12 41:10 43:8 78:13 83:4
--	---	--	--	---

CAPTAIN SAMUEL STEPHENSON, J.D.

August 11, 2025

86:14,17 87:2 110:22 111:9, 19 140:14 142:9 146:10 151:17 159:21 160:14 169:14,16 197:10 beginning 5:16 behalf 5:11 believe 31:19 42:9,13 46:3 55:2,5 83:11,12 84:3 91:5 118:14 135:11,13 154:8 below 110:15 124:1 196:21 197:2 Belt 158:10 Beltline 5:21 7:7 29:12 84:20 114:12 117:8 158:17 bent 57:15 61:17 best 170:4 better 51:13 116:1 158:21 between 8:1 11:1 28:21 36:14 47:11 48:1 49:19	54:11 76:14 84:9,18 93:16 117:7,15 140:13 big 28:14 161:7 bio 9:15,17 10:2 Bisseau 188:13 bit 7:12,20 16:1 27:8 43:1 56:1 64:9 85:3 99:16 105:8 114:17 black 132:15 blue 88:20 89:9,21, 22 90:5,8,17, 22 135:9 board 25:1,5,10 41:20 65:4,22 67:14 69:4 91:17,21 97:21 99:3 155:18 157:4 162:11 163:7, 9 166:12,20 186:14 187:4, 13,20 188:5,7 193:15 boarded 59:4 150:19 boat 100:20 143:3 163:7 189:17 202:20	boats 143:4 161:7,8 163:8 books 27:3 both 81:2,5,6 188:10 193:20 bottom 117:17 124:15 144:12 177:21 179:16 bought 107:14 bounds 200:16 bow 97:6,7,9 99:8 136:5 158:8 161:15,18 brain 79:21 branch 86:9 170:8 brand-new 170:14,17 break 43:11 63:4 119:10,14 159:7 Brian 120:4,12,19 121:8 124:7, 11,13 134:8, 12,14 205:6 bridge 12:3,6 14:10 19:17,21 20:7, 8,10,13 29:1,	6,8,12,16 32:13,15,18 33:5 34:14 36:4,12,13,14, 16 37:15 38:5, 7 57:2,7,12,13 59:8,10 62:2,3 68:12 70:3,5, 6,12,14,16 73:12 82:19, 21 84:10,19 85:17 88:18 89:10,17 91:3, 11,15 98:13 99:13,14,15 100:16,18,20 101:20,21 102:2,3,7,12, 18 103:1 112:15 113:8 114:12,14 117:9 125:2 130:22 131:10,12,22 135:19 138:9 140:8,10,12, 16,21 145:5 146:20 148:21 149:14,16 159:1,2,9,12, 19 186:16 189:19,22 190:2 191:4, 16 202:13,19 203:3,8 205:2 207:12 bridges 19:22 20:3 28:15 85:13 97:22 115:11 186:18 189:16 201:3	bring 26:9 50:21 52:3 170:14 bringing 187:21 195:18 brings 27:8 28:20 69:12 92:20 broke 17:4 bullet 85:5 110:15 111:3 173:3 174:10 177:10,22 bunch 130:11 buoy 166:14,16,21, 22 167:1,14 168:4 busiest 143:1 165:3 business 188:11,14 busy 165:7,9,12 <hr/> C <hr/> calculations 172:9 calendar 169:11,12 California 5:12 call 7:9,11 23:7
---	---	---	---	--

CAPTAIN SAMUEL STEPHENSON, J.D.

August 11, 2025

27:18 54:7 103:1 112:5 134:18 139:19 159:2 203:1 207:13 called 6:15 7:8 11:15 17:18 22:9 70:20 75:11 81:11 90:14 99:3 163:9 168:21 172:22 189:2 191:19 192:7 193:11 calls 175:5 camera 100:12 can 6:12,21 7:9,20 8:14 10:11 11:16,18 14:22 15:13 20:13 22:1,4 25:12 29:19 30:1,20 31:1 33:21 36:20 37:22 38:1,19 42:10,13 43:2, 3,8 44:7,10 45:2,3,12 46:17 49:11, 12 50:7 51:1,2 52:4 53:21 57:5 59:6 60:2 63:7 66:21 67:12,22 72:19 74:19 77:7 78:7,21 80:2,17 82:4 83:16 85:21 91:6 93:22	94:3,5 95:6,19 100:13 101:14 102:15,22 103:1 108:2 111:2,12 114:7 115:14 116:20 119:9 120:2 127:8 128:5 132:7 133:1 135:21 136:18 141:1 143:4 145:19 146:5 150:1,3, 5 152:7,12,13, 16 153:3,16 154:9 168:14 176:9 178:13, 14,17 179:3,4 182:5 199:20 200:15 203:17 204:5 208:16 210:13,14 can't 21:1 39:16 48:20 50:9 59:7 62:4 93:20 95:20 109:14 115:14 122:17 129:5 140:9 151:1 159:22 169:17 182:17 cannot 97:8 107:3 113:11 156:6 185:22 204:6 captain 5:5 6:14 7:9, 10 14:2 19:7 20:1,2,14 22:10 23:18, 20 24:1,2,4,9,	12,14 27:2 40:22 41:7,11, 12 42:7 46:13 50:8 53:21 55:16 57:19 58:2,20 59:11 60:4 63:8 65:13,22 67:14,16 70:16 73:6,11 83:16,18 109:16 112:2 113:21,22 114:9 115:5,6, 8 117:3 120:19 121:11,17 129:9 130:18 131:7 134:8, 12,15 141:13 144:16,17 146:9,14 147:11,21 150:6,22 151:1 152:8 157:12 158:9 160:14,15 162:3,12,15 163:1,3,9 164:10 167:18,20 170:15 177:18,20 182:8,9 184:11 185:18 186:14 189:18 193:3 196:1,8, 14,17 198:4 201:18 202:4 203:10 209:20 captain's 23:21 42:6 113:22 155:3	captained 20:9 110:5 captains 70:3,11 185:9, 20 186:12 187:11 188:4 189:14 carry 180:1 Carver 6:5 21:7,9,13 23:15 25:20 32:7 40:18 41:6 57:18 58:7,13,18 59:1 60:9 62:2,20 64:15 65:6 66:14 67:7,19 68:10, 21 69:9 79:4, 11,21 93:13, 21 94:8,12,19 104:4 109:3,5, 8,9,10,15 114:22 115:15,16,22 147:1 157:7, 15,17,19 173:19 194:15 196:14 199:14 203:3 207:13 Carver's 25:13 115:17 145:4 207:21 208:13,20 case 9:3,6,7,10,11 12:5 15:10 17:19 18:13 28:14 42:12, 18 44:19 46:2	50:17 54:4,21 68:13 70:4 79:1 83:8 85:4 96:6,12,21 97:22 104:2,3 112:2 128:20 147:9,19 149:2,3 180:18 204:11,20 205:16 cases 9:15,20 10:9, 12 11:15 12:8, 10,13,18 13:4 15:2 casualty 11:20 catch 72:12 caused 92:3 94:1 causing 39:11 40:4 130:22 cautious 146:15 center 89:16 91:15 certain 71:2 103:18 107:16 111:5 202:9 203:4 certainty 200:17 certified 114:5 cetera 191:10
---	--	---	---	--

CAPTAIN SAMUEL STEPHENSON, J.D.

August 11, 2025

CFR 104:1,9,11,13 105:6,10,13, 19 106:3,5,17 107:19 114:21 115:7,12 144:19 145:2 203:2,17 206:20 207:2, 15 208:6,10 209:3,6,7	166:9,10 171:2,14,16, 19 172:5,13, 17 187:21	123:21	Clemson 127:20	5 189:21 194:15,20 197:10,17 198:10 200:19
CFRS 103:17 104:18 107:7 115:5, 13 116:18 117:2,4 143:8	channels 17:14,19 70:1	circuit 44:19 46:2	climb 163:8	code 68:15
CG 118:15 134:19	Chapman 5:20 51:15 129:4,16 158:7,10,13, 15 178:9,16, 19 179:12 192:17 194:1, 9 195:20 196:9,15 197:5 198:1,6 199:1,5 200:12 202:7 203:5,21 207:17 208:15 210:21	circumstance 14:1 69:11 73:6 162:22	Clipper 167:19	COI 189:21 190:1, 3
chair 187:1	charge 41:12 104:14 105:5,7,21	circumstances 13:13 71:2 96:7,16,19 103:19 107:16,18 110:8 111:5 112:16 167:16	close 166:14,20 173:16 174:21 178:22 188:1 191:5	colliding 71:16
Chang 5:10	chart 97:10 102:5 135:8	cite 208:6	Clyde 6:3,8 8:19,20 9:1,3	collision 113:2
change 57:14 136:10	check 125:16 201:16	cited 45:6 209:2	coach 50:14	collisions 13:18 16:19 92:18
changed 206:14,15	Chicago 189:11 190:9	Civil 5:6	coaching 52:20	colored 88:11
changeover 180:19	chief 163:20	claimed 47:10	Coast 30:12 57:21 58:8,19 59:2, 3,20 60:5,9 61:8 66:15 75:16,19,22 94:16 95:3,14, 16 98:19 114:4,6 120:20 139:7 144:9,17 145:1,10 146:10,22 148:1,16 149:11 150:19 152:2,21 154:11,16,19, 21 155:5,6,9, 12,13,16,17 156:3,13,16 157:5 173:7,9, 10,14,20 174:1 186:1,4,	commands 163:13
changing 111:17	choose 142:20,21	clarification 71:14 101:10		comment 35:2
channel 36:14 89:11 133:14,19 137:16,18,19, 20,22 138:1,3, 6,7,8,19 139:1,13,17, 18,20,21 140:7 141:22 143:21 160:1	Chris 123:19 150:5, 6,17 152:3	clarify 131:8		commentary 139:7
	Christopher	clean 133:3,10		common 40:21 55:7 126:10
		clear 26:8 33:15 42:16 45:6 51:13 82:5 98:9,20 105:6, 19 115:5 116:18 159:15 201:13		companies 62:17 115:13 185:12,15 186:2,3,4,11 187:7,12,15 202:10,12,18
		clearly 99:5 117:18 201:4		company 5:22 6:2 7:4 51:11 59:11 62:19 65:15, 22 66:1 70:20 105:20 106:9,

CAPTAIN SAMUEL STEPHENSON, J.D.

August 11, 2025

18,21 107:1,9 115:18 116:10,11 147:9,14 187:19 188:20 193:11 compared 11:4 competency 155:11 competent 154:13,19,20 155:1,4,5 156:2 complaint 48:7,12 complaints 47:22 49:18 54:10 complete 119:5 156:5 completed 95:3,10 108:11,16 118:9,15 156:9 157:1, 17 completely 184:12,14 198:7 compliance 200:20 comply 117:1 complying 117:4 computer 14:13	con 162:19,21 concluded 194:5 211:9 conclusion 58:11 conclusions 200:11,14,16 203:20 205:9, 17 207:8 208:3,22 209:1,5 conditions 111:16 116:22 171:22 201:1 203:4,19 conduct 30:16 31:20 67:16 162:19 conducted 30:7 204:1 conducting 32:7 conductivity 54:15 configuration 159:20 confined 137:14,18,21 138:5,8,11,13, 20,22 139:19 140:3 171:2 confused 55:14,21 104:6 112:8 Congress 207:22 connection	183:22 connectivity 49:1,16 53:19 54:12 78:4,18 79:5,11 80:1 consented 46:4 consider 101:20 102:2, 7 considerable 135:21 137:2 consideration 116:14 considered 23:9 162:22 163:2 173:21 considering 136:15 consistent 98:19 103:17 196:6 200:9, 10 208:13,17, 18 consistently 50:13 constitutes 178:3 consultant 10:12,21 27:1 consulting 11:2,11 46:10 contact 8:21 34:13,17 57:12 58:13 83:21 84:9 85:2 94:14 130:22 131:9,	11 contacted 202:19 contacting 191:21 contain 23:2,10 contained 21:13 23:11 contains 23:7 context 130:13 177:22 continue 43:8 50:17 51:3 83:4 continued 88:22 89:3 contrary 44:14 131:2 contribute 29:13 control 104:11 162:19,20 163:5,10,11 164:4 controls 162:21 conversations 192:5 202:8 cool 71:19 copy 21:19 174:1 178:12 183:19,21	210:20,22 211:2 correct 7:15 11:12 18:1,2,9 24:20 30:12 31:13 40:4,6 49:2,7 58:9 59:14,16, 20 60:1,6,10, 15,19 61:17 65:18 70:20 71:3 74:4,16, 17 78:18 82:21 87:22 88:3,5,6 89:8, 12 94:20 98:21 102:14 108:8 112:17 115:1 118:1,5 121:5,8,9 122:12 124:1, 2,4,6,12 127:7 131:10,14,22 133:17 137:16 140:1,2,17 143:15 145:12 146:10 147:5 148:17,19 149:4,19 150:13,20 151:4,10 153:12 156:9 158:16 159:13,17,18 160:7 161:4 162:2 164:7 166:2 169:8 180:5,13,15 181:16 183:3 184:1,12,15, 20,21 185:4 187:10,17 190:13
--	--	---	---	--

CAPTAIN SAMUEL STEPHENSON, J.D.**August 11, 2025**

193:21,22 194:3,7,12,16, 20,21 195:7, 16 196:4,5,7, 8,19 197:1,2, 18 198:5,11, 14 199:15,16, 18 201:15 202:2,10 203:4,6 204:2, 6,7 205:1,13, 21,22 206:7, 10,11,18 207:14 208:11	Counselor 43:17 152:12, 13 counselors 5:2 43:21 45:14,17 63:22 64:3 129:21 130:2 179:5,8 210:6, 8 211:6 country 68:17 couple 18:11 67:22 76:9 80:5 110:15 127:15,17 165:8,11,14 172:21 179:20 180:4,11 courses 27:14 court 6:10,11,18 8:14 15:6,14 17:22 46:19 50:21 51:9,16 52:1,5 53:4 71:13,19 101:9,13,18 161:17 178:12 210:2,5,14,19 211:4 Coyemans 5:5 6:4 21:9 crabbing 172:4 creating 116:14	credentialed 73:2 credentials 209:9 credibility 19:7,13 Crescent 204:15 crew 24:7,19 25:1, 5,10,15,19 26:3 30:7 41:1,8 56:18 59:19 61:2,8 64:13,16,22 65:7 66:3,14 67:8,19 73:1 86:21 90:14 92:16,17 94:12 99:2 104:1,10,21 105:14 106:7 107:17 114:22 122:1,3,6 123:3 131:2, 16 149:1,3,6, 10 151:22 153:5,14,17, 21 154:2 157:4 161:21 163:3,16 196:22 200:19 crew's 87:14,15 crews 115:17 criteria 108:17 cross 127:19	cruise 141:16 current 93:8 135:16, 17,18 136:1,3, 16 137:1,3 159:20 currently 195:5 currents 141:17 curve 62:8 customary 96:9 98:7 106:10,13 116:5 125:15, 22 203:7 customs 106:15 cut 17:9 116:8 120:15 123:16 127:22 CV 22:18 <hr/> D <hr/> d/b/a 6:4 daily 55:13 108:7,8 damage 59:10,11 61:14 62:2,4 131:2 145:4,5, 8,13 146:20, 21 147:17,19	148:21 149:13,15 204:22 damaged 57:4,7,15 205:2 Dan 188:16 202:20 danger 102:3,6 dangers 97:13 data 35:14,18 201:16 date 5:8 48:2 49:19 53:17 54:11 55:1 56:6 73:22 74:2,4, 11 75:3 93:1 103:6 126:21 159:22 201:22 206:6,10 dated 22:11 73:21 74:10 dates 72:20 daughter 127:20 day 26:16,18 55:16 63:8 99:11 100:1 164:21 165:11,13 206:18 days
---	---	---	---	--

CAPTAIN SAMUEL STEPHENSON, J.D.**August 11, 2025**

11:6,7,8,10 164:17,18 165:8 199:17	112:20	173:6	different	discussed
dealing	density	description	8:9 66:8 68:2	69:19 78:3,6, 13
14:4 205:1	116:21	137:14 164:19	79:19 85:16	discussion
decide	departure	design	99:17 105:8	69:20
114:8	93:10	16:9	118:3 122:2,5	disengaged
decided	depending	designated	125:17	38:8
156:13	133:5 203:4	17:20	131:16,18	disengagement
decision	depends	details	135:22 168:9	t
61:12 104:16	128:22 132:21	69:19	175:18 181:21	134:1
115:4,5	133:2 142:6, 22 166:13	detecting	182:5 198:3,7	dispute
decisions	deposed	110:20	differently	83:1
105:20 114:7	87:21	determination	56:2 174:7	distance
deck	deposition	93:22	difficult	117:7
77:9,21	5:4,7,11,12	determine	7:20	diverge
deem	7:5,19 8:13	93:13 138:19	direct	89:22
156:2	9:22 21:15	156:12 181:1	52:18 122:10, 14 130:21	divide
deemed	46:9 50:14,18	deviated	131:9	11:1
154:12,18	51:4 56:17	132:4 133:14, 19	directed	do
deeming	68:20 69:9,20	deviation	142:11,12	6:17 7:8 9:6
155:1	123:9 158:16	133:16	direction	10:12,14
defense	176:13,17	didn't	36:11 142:20	11:11 12:1
13:10	178:10 196:21	44:13 46:1	directly	13:4 15:3
define	209:21 211:8	72:12 81:22	23:14 28:13	18:15,19,22
30:20 31:1	depositions	84:4 116:7	36:6 121:20	19:3,9,12 20:6
94:4,6	7:14,20 42:10, 11 68:10	122:17 132:9	182:11	21:19,21
defines	87:14,15	147:3 148:3, 14 171:11	disagree	22:12 24:3
138:13	175:17 176:14	178:20 191:6	102:17 131:7	28:3,6 29:21
defining	204:20,22	200:1 205:2	137:10,13	30:6 31:3,7, 12,19 32:2,6, 12,16 33:8,17, 18 35:21 36:4, 7,17,21 37:1,2 39:19 40:9,17 41:4,5,15,18, 22 42:14,15 43:1,5 46:22 47:8,15,21 49:15 52:19 55:2,5 56:2,22
123:2	205:4	died	disagreement	
definitely	deputies	9:12	133:13	
99:12,13	165:17	diesel	discarded	
100:18 113:7	deputy	132:15 133:10	109:21	
131:15 146:17	165:18	difference	disclosure	
149:6	describe	85:19 99:22	9:14 21:12	
definition	described	100:13	37:5 58:17	
	54:13 169:21		64:14	
			disconnected	
			47:19	

CAPTAIN SAMUEL STEPHENSON, J.D.

August 11, 2025

57:6 58:1 59:22 60:22 61:14 64:19 65:15 68:5,16 69:6 71:8 72:3 73:17 74:22 75:2,12 76:10, 12,17,20 77:10,20 79:3, 20 80:7 81:12 82:8,12 83:1, 6,17 84:3,7,16 85:6,14 86:3, 11 88:12 89:18 90:7,16 91:12,19 92:3, 13,16 93:3 95:2,15 96:2 101:20 102:2, 7 103:7,20 106:9 107:10 108:4,19 109:2,9,18 110:16,21 111:5,9 113:3, 16 114:10 115:14 116:3 117:10 118:9, 11,14 122:13, 17 123:15,20 124:20 125:1, 9,10,11 126:2 127:17 130:15,19 131:4,5,9 132:18,20 133:7,11 134:5 135:1, 11,13 136:6,8, 19 137:11 139:6 140:20 141:14,15,20 142:1,2,17,20, 21 144:3,11,	20,21,22 150:7,9,10 152:2 153:6,7, 11,20 154:14 155:18,19 156:12 157:7, 19 158:16,20 159:19 163:11 164:8 166:12 167:7 170:19 173:12 176:2, 20 178:2 180:21 181:18 186:10 187:12 191:18 192:4, 13,21 193:8, 10,14,17 195:9,18,21 196:1 198:18, 22 199:10,13, 21 200:3 203:12 206:20,22 207:6,7 208:8 210:3,12,15, 18 dock 111:10,11 168:17 181:10 Docking 204:13 document 33:10,12,22 34:11 48:17 50:9 52:10,14, 16 53:16 54:7 66:22 67:1 69:18 79:15 80:21 93:2 119:5,6 121:13 122:18 123:7 126:5,	14 149:21 158:3 175:1 documents 23:8 25:20 32:20 40:12 47:5 49:17,21 50:2,3 56:4 67:3 72:21 75:11 76:16 77:21 78:5,12, 22 79:1,7,9, 17,20 80:4 81:17 122:20 145:6 154:7 157:13 158:1, 2 172:22 173:17 174:22 176:1 177:4,9 194:14,19,22 197:6 204:18 does 10:22 23:1,10 33:12 37:9 41:1 77:12 83:20 90:4 93:7,9 104:1, 2,11 115:9 143:20 144:3 154:21 156:4, 22 167:3 190:1 210:6, 19 doesn't 7:12 46:6 51:2 107:10 130:13 144:6 186:19 196:3 doing 31:21 44:17 65:11 108:18 112:3 125:16 128:7 168:12	172:8 174:6 181:1 193:16 doke 43:9 dollars 75:4 140:12 141:2 don't 7:18 13:2 17:19 21:5,6 23:21 27:18 28:9,12 32:5, 14 36:2,9 38:10 40:11 42:13 43:11 45:4 48:15 60:13 63:14 69:13,19 72:20 76:3,13, 18 79:9,14 80:12,14 81:15,21 83:9, 11 84:12 89:2 90:19 93:1 94:6 95:20 103:1 107:9, 15,17 108:14, 17 109:14 110:11 114:14 115:13 116:2, 6 119:12,13 121:1 125:4 127:4,16 129:8 136:21 142:1 146:14, 17 147:16 148:2 149:20 154:2 155:22 156:7,20 158:2,5 161:6, 17 162:1 163:15 167:21	168:21 169:13,21 170:2,9 173:19,22 175:10 176:6, 21 177:1 178:11 179:1 182:16,20 186:13 190:18 191:20 192:17,19 199:1 206:14 209:21 done 11:17 25:17 53:7,8,11 65:12,18,21 66:1,2,6,8,11 67:13 69:4 78:17 79:4,10 94:11 97:4 110:21 111:6, 19,21 124:5,7 147:14 148:21 150:20 167:17 193:6 194:7 195:10 199:5 204:5,6 210:1 211:5 dot 89:21 90:5,9, 17 91:14 double 74:20 draft 210:12,15 211:2 drift 37:15 drive 127:21
--	--	---	---	--

CAPTAIN SAMUEL STEPHENSON, J.D.

August 11, 2025

driver 167:8	129:2	121:20 128:11	enhanced 143:6	especially 100:15 119:6 136:15
drug 60:22 150:20	ebbing 135:18	139:1 148:2	enough 126:9 161:8	essence 103:17 105:12
drugs 61:9	edge 93:10	163:12 164:4, 12 172:1	ensure 109:6	establishes 117:18 201:4
due 78:13	educating 205:15	174:6 178:2	entire 74:13 119:8 134:20 135:1 136:9	estimate 170:4 195:12
duly 6:15	educational 28:8	181:18 183:4 210:20	entirety 21:8 23:10	et al 5:6
duties 166:4	effort 125:3	email 44:18	entitled 86:1	Evanston 5:19 6:2 7:4
duty 167:11 168:12	eight-hour 127:21	embargoes 190:22	entity 21:8 72:7,8,9	event 11:20 49:13 148:22
dynamic 111:16 172:6	either 8:7 9:21 15:6 20:9,14 23:2 28:7 30:1 34:7,12,21 35:16 49:10 53:15 56:16 59:1 72:5,17 75:3 76:14 93:10,15 103:11 124:6 125:13 148:20 159:16 185:18	employees 23:15 57:18 202:9	entries 164:13	eventually 197:9
E		employment 25:21	entry 123:16 164:16 173:15 174:11 175:7	Everglade 139:17
each 15:22 72:22 76:13 89:22 128:5 168:3 185:15 186:11 187:15,19 191:2,22		end 124:17 127:10 191:10 207:22	environment 172:7	Everglades 20:6 68:16 140:7 141:18 143:2 160:20 164:2 165:16 166:17 182:19 185:11 188:8 190:7 191:8 195:17 204:17
earlier 73:16 78:3,6 148:5 158:15 193:5 209:14	electronic 35:14 72:8 109:22 110:6, 9	engage 201:7	equates 155:11	everybody 63:13 83:14
Earth 117:13	electronics 72:7,8	engaged 86:8	equipment 16:15 105:15 106:7 107:11 116:4,13 125:8,14	everything 93:15 122:6 132:22 148:2 171:22
easier 7:12	Elizabeth 167:22 170:8	engine 77:9,21	Eric 205:5	evidence 35:7 37:16 58:7 65:5 86:17 93:17
east 167:1 186:1,4, 5	else 39:22 47:21 54:16 72:1 78:11 96:20 103:9,12	engineer 46:10	ESO 202:20	
eat		engineer's 46:9		
		engineers 205:1		
		engines 33:6,7,13 132:22 133:2, 5 136:2 161:19		

CAPTAIN SAMUEL STEPHENSON, J.D.**August 11, 2025**

117:18 124:21 136:12 146:5 149:14 154:6 194:22 201:4	177:1,8 178:10 179:14 195:19	extended 89:7,10 91:1	129:12	16 186:2 190:3 199:20
evidenced 131:1	exhibits 33:18 176:16, 19 211:11	F	feet 117:9 138:7, 10 139:19 140:13 160:2 161:12	finding 130:18 131:7 154:18 155:11
exact 83:4 93:1	expect 56:7 87:10 163:18	fact 58:18 59:1 90:12 102:13 150:11	felt 147:12	findings 22:10 185:7
exactly 121:1 170:2 191:20	expected 66:1,6 68:14 89:15 113:21 114:2 155:4	factors 19:10	fender 160:2	fine 28:13 43:13 45:4 63:6,12 119:15 122:6 129:10,15 142:8,18 158:4
EXAMINATION 6:19 158:12 193:1	expecting 56:9	facts 23:9 196:13 200:10 205:16	fendering 29:9 59:8,9 61:13,18 147:8	finish 127:18,19,22 132:7
examined 6:16	experience 73:5,10 109:16 157:3 185:10 195:4 204:8	fail 153:12	fenders 117:8 140:13 145:7,8 146:13	finished 69:1
examples 67:22	expert 15:14,18 17:20 18:16, 20 19:1,4,10, 13 21:12 42:10,17 46:10,11 54:4 62:12 128:3,4	failed 153:9 184:19 201:7	field 62:13	Fire 17:1
excellent 100:14,21	expertise 15:9,15 17:18	failure 78:8 201:9	figure 126:11	Firefighting 17:12
exception 141:12,21	experts 46:4	fair 116:15 161:3 190:12 197:3	figures 171:7,8	first 5:11 6:15 12:5,12,17 15:15 26:13 27:10 33:6 34:4 43:5 73:20 91:14 92:10 112:19 120:4,9 125:6 133:5 185:7
excess 141:2	explain 29:20 38:19	false 117:20 151:13 152:4,18 201:6	filed 118:15	fit 140:19 173:14
excluded 15:6,7	explaining 182:8,9	familiar 71:21 195:15	files 25:22	Five-minute 119:17
exclusively 11:9	explanation 172:10	far-left 89:11	filled 118:17 157:16 194:17	fixed 83:21
excuse 72:7 76:7 79:18 165:10 182:8 194:9 198:18		federal 15:14 17:21 50:16 68:15	filling 164:9	
exhibit 21:15,16 22:6 23:1,12 73:15 170:21 176:12,20,22		feel 147:17 148:3	final 174:2 179:15	
		feeling	find 43:7 82:3 155:20 174:7,	

CAPTAIN SAMUEL STEPHENSON, J.D.**August 11, 2025**

fixture 103:3	107:5 115:2, 20 118:7	front 13:3 23:1	Gangways 16:7	201:12
flag 162:9,10	121:22 124:1	33:18,19,22	GAR 31:8	give 10:11 11:17
flipped 134:7	145:18 148:1	48:18 50:2,21	Garmin 117:14	14:3 20:13
Flowers 186:7	149:5 157:15, 22 184:18	52:11,16	gave 34:4 81:2	42:18,19
focus 159:1	194:1,10,17	73:17 79:17	169:22 191:3	67:22 80:17
focused 61:19	195:1 196:9, 15 197:5,12	99:7 118:16	general 7:15 10:11	126:9 163:12
fog 111:13	198:1,6,8	119:1,5,22	28:19 36:11	164:7,18
folks 69:22 148:6	200:12 203:5, 21 207:17	122:19,22	93:3 126:10	170:4
187:7 190:20	208:15,21	145:12,16,21	164:18 172:14	gives 163:9
follow 7:21 91:10	format 54:6 175:11	146:1 206:3	generally 9:18 12:9	giving 8:8
128:10 156:18	formed 132:12	fuel 133:3,6,8	61:12 68:4	gleaned 96:4
follow-up 169:1 178:15	Fort 19:21 159:1	full 6:21 33:7,13	108:20 131:6	go 5:13 15:12
192:19	204:17	34:5,21 35:8	155:19	17:2,5,7,10
209:19,22	forward 33:21 45:22	98:14 100:4	gentlemen 5:3 43:22	22:2 27:12
following 130:17	46:5,13 53:12	113:1,8,11	45:18 64:4	30:20,21
foreign 162:9	found 200:4	191:8	130:3 179:9	42:21 43:1,9
form 14:21 26:5	foundation 67:11 72:18	fully 135:5	6:12 7:6 22:6	45:2,10,11,22
33:4 34:2	78:20 95:6,12, 18 112:7	fun 63:9	26:9 41:2 43:5	46:13 48:10
37:21 51:1	115:3 116:16	functionality 47:11 54:5,10	44:10 60:10	51:8 52:2 53:4
58:4,10 59:5,	156:10,12,17	125:13	61:21 64:8,9	59:20 66:7
21 65:9 69:17	157:2	functioning 37:14	65:13 83:14	69:2 70:9
72:10 80:2	four-man 189:19	Furborough's 184:7 185:4	90:12,15	85:21 86:13
85:18 91:6	fourth 44:19 46:2	future 46:5	98:12 101:16	91:10,22 94:7
94:3 95:5,11,	175:6 177:10	G	117:12 119:13	100:15 108:6
13 104:5	Friday 21:13 74:6	Galveston 191:13 204:16	128:9 140:9	109:3,18
105:1 106:20		game 52:11	147:16 155:3	112:19,20
			158:21 163:7	116:7 125:17
			167:4 173:18	127:14,17
			186:15 210:13	129:1 130:16
			getting 8:4 45:4	132:4,10,13
			122:20 200:8	136:13 138:9
				141:17 143:9
				153:3 157:12
				161:22 177:7
				179:3 180:4
				181:13 186:1,

CAPTAIN SAMUEL STEPHENSON, J.D.

August 11, 2025

4,18 200:14 204:9 206:9, 19 207:4,11 209:2 210:9 goes 7:15 23:4 29:22 189:20 going 5:3 7:5 9:17 15:22 20:7 21:8 33:21 36:11 43:18, 22 45:15,18 46:5 48:17 50:5,11,12 52:1 53:4,5 56:2 57:19 64:1,4 82:2 84:5 89:16 98:1 111:20 119:1 120:22 122:18 123:6 127:14,16 128:11 129:1, 22 130:3,7,10 133:1 134:11 135:8 138:3 141:4 143:6 146:12,20 148:18 149:16 150:7 152:3 166:9 167:5, 19,21 168:20, 22 172:5 176:7 178:22 179:6,9 182:7 211:7 gone 35:16 91:4 136:13,17 good 5:4 30:16	31:19 46:15 63:3,18 98:9 99:12 127:13 158:14,19,20 181:4 193:3,4 good-sized 141:7 189:13 Google 117:13 Gotcha 143:7 161:1 182:22 186:6 Great 172:19 greatly 66:22 groundings 18:5 group 67:3 188:21 Guard 30:12 57:21 58:8,19 59:3, 20 60:5,10 61:8 66:15 75:16,19,22 94:16 95:3,14 98:19 114:4,6 120:21 139:7 144:9,17 145:1,10 146:10,22 148:1,16 149:11 150:19 152:2,21 154:11,16,19, 21 155:5,6,9, 12,13,16,17 156:3,13,16 157:5 173:7,9,	10,14,20 174:1 189:21 194:15,20 197:10,17 198:10 200:19 Guard's 95:16 guess 48:20 50:3 88:11 89:11 120:20 123:4 164:1 170:5 195:11 guidance 104:21 guidelines 105:12 106:5 Gulf 189:4 202:21 guy 186:7 guys 45:6 <hr/> H <hr/> had 9:1 12:6,8 14:18 15:16 24:16 32:3 34:18 35:2,16 37:19 39:4 46:3 57:20 59:2,19 60:9 62:8 66:17 73:6 77:14 83:10 86:8 89:1,5 91:4 92:21 94:8 98:15,22 99:3	100:20 112:22 116:11 122:4, 5 128:10 132:11 133:9 136:13,14,15, 17 147:4,15, 22 148:15 149:18 150:16 153:1 157:5 175:1 177:14 183:7 184:4,7, 19 187:7 190:7,10 191:15 193:14 194:7,15 195:1 198:4 206:15,17 209:9,14 half 114:1 166:18 167:1 188:2 halfway 75:10 81:10 Hampton 167:14 168:4 185:21 hand 6:12 34:4 124:18 142:5, 12,21 184:16, 20 handle 123:9 handles 137:2 164:12 handling 16:17 18:3 handwritten 176:3,9	handy 21:20 73:17 76:17 happen 84:1,4 93:7,9 132:18 happened 59:14 61:7 83:10 84:2,6, 15 89:1,19 90:5,8,17 91:13 121:12 126:2,12 137:8 149:12 190:9 happens 109:17 110:9 happy 141:15 142:2 harassing 151:12,19 harassment 102:21 harbor 11:5,9 16:9 160:6,8,12,16, 18 161:5,10 162:4 164:3, 12,21 165:15, 19 166:3,7,8, 12 167:3 168:8,10,11 185:10 190:7 204:13 hard 35:11 99:15 129:4 134:20, 22 135:3,4,5, 15 136:13,17, 19
--	--	--	--	---

CAPTAIN SAMUEL STEPHENSON, J.D.

August 11, 2025

have 7:15 10:3,16, 20 11:11 12:1, 20 13:2 15:7, 18 19:17 21:19 22:6,18, 20,22 23:14, 17 24:6,18,22 25:17 26:1,18 27:2,13 32:16, 20 33:18 35:1, 4,13,21 36:4, 17 37:2,16 39:19 40:12 41:3 42:21,22 43:2 44:13,17, 21 46:4,22 47:1 49:16 54:7,8 55:7 56:4,10,14,16, 22 57:8,17 58:1,17 59:3 61:8,11,19 62:5,17,20 64:14,19 65:10 66:7,22 68:9,17 69:8, 15 70:2,3,11, 12,14,15 71:4, 8 72:3,11,20 73:3,6,11,17 75:2,3 76:16, 17,20,21 77:3 79:7,9,20 80:4,12,21 81:7 83:1 84:3,8,16 87:2 88:2,22 89:3, 18 90:2,7,16, 20 91:12,19 93:2,3,12,17, 20 94:8,10 95:2,7,10,21 96:20 97:7,11,	19,20,21 98:7, 11 99:2,5,13, 18 100:5 101:4 106:11, 19 107:3 108:13 110:5 111:4,20,21 113:20 114:2, 10 118:11,14, 20 119:10,21 120:15 121:16 122:20 125:1, 11 127:4,18 133:1,4,7,15 135:21 136:2, 6,8,20,21 137:2 138:2,9 141:4,10,11, 14 142:6 143:1,4 147:11,13 149:20 150:18,19 152:12,13 153:20 154:6, 7 155:2,5,16 156:7,12,18, 22 157:15 158:1,5,7,20 160:11 161:12 162:18,20 163:7,19 164:8,13 165:1,14,17 167:13 169:4 170:2,6,7,19 171:22 172:6 173:12 175:16,17 176:21 177:12,15,16 178:3 179:2 182:15,17,20 183:5,19	186:10,20,22 187:3,13,18 189:1 192:4, 17 193:20 196:3,10 197:6,11,12, 13 198:22 199:1,21 201:16 202:14 203:7,14 206:20 209:18 210:3 haven't 71:10 75:7 93:19 94:17 hazard 102:8 hazardous 117:1 hazards 97:13 110:21 he'll 146:16 heading 36:5,6,7,13 91:14 headway 34:15 hear 72:13 132:10 171:11 178:20 heard 8:2 65:10 66:10 129:5 173:21 hearing 24:16 132:8 197:10 heavy	143:19 144:4 172:3 held 5:7 helm 167:9 helmsman 116:2 help 53:22 66:22 122:17 209:20 helped 44:21 helpful 8:6 high 97:6 100:20 113:6 116:21 hired 170:14 history 109:1 193:21 hits 137:3 hold 18:15,19,22 19:3,9,12 68:22 holding 198:16 holds 116:1 homework 122:17 honest 54:19 158:3 honestly	169:20 Hook 204:12 hopping 130:11 hour 63:5 119:11 178:22 188:2 hourly 74:21 hours 26:16,18,19 61:2,9 75:3,6 98:20 127:15, 17 157:11 200:21 206:16,18 HR 25:22 human 19:9 116:1 hundred 20:21 138:4 140:11 141:2 189:12 hundreds 20:19,20 143:4 hungry 129:12 <hr/> I <hr/> idea 7:15 10:11 12:2 14:3 75:2 156:7 ideal 91:3
--	--	--	--	---

CAPTAIN SAMUEL STEPHENSON, J.D.**August 11, 2025**

identified 10:10 21:16 55:18 56:5	92:21 93:4,13, 14,22 94:1,9, 20,22 95:4,17 99:11 100:1 104:10 118:6 123:15,16 124:19 147:22 148:5 150:12, 14 153:10,13 155:1,6,16 157:5,8,18 177:19 178:4 193:6 194:12 196:18 197:1, 4 199:17 205:21	67:17 68:11 69:21 98:17 103:4 112:12 121:18 153:8	173:7,8,20 182:11 193:20 196:10	12 49:20 53:17 54:11 179:17
identify 5:16 55:17 76:13 78:17		indicates 34:21 86:15 117:7 122:11 154:17 155:10	infra 130:18	instance 94:11 96:21 107:4 112:1 115:19 190:9
II 167:19		indication 34:6 174:16 184:9	initial 73:22 117:19 118:4 196:6 201:5	instead 50:2
illusion 144:10		indicator 136:12	initially 196:13	institutions 28:8
images 179:21		individual 25:18 185:14	inland 69:3,7 106:12 107:9,13	instruction 41:6 58:2
imagine 129:6	incidents 47:15 156:8	individually 192:6	input 39:13,15,18, 21 40:5,7,19	Insurance 5:19 6:2 7:4
immediately 199:2	include 204:19	individuals' 26:2	inputted 40:10	intend 23:3
impact 131:3 137:2	included 178:13	industry 62:19 65:12 96:9 106:10 126:11 127:9 138:12 171:3 203:7	inquiry 190:10	intended 15:5
important 46:6 150:2	including 63:4 176:15		inside 167:14 168:3	interface 7:22
impossible 50:18	inconsistencie s 120:7	information 26:1 28:2,6 32:22 37:4 40:14 48:9 49:17 57:8 58:17 61:4,12 64:14 67:18 72:11,14 73:3 75:15,18,20, 22 78:2 84:8 86:20 87:5,12 90:3 93:18 94:2,8,18 95:7,21 145:3 147:18 156:22	inspect 180:1 201:17	internet 159:7
impression 187:6	inconsistency 124:10		inspected 72:6,17 99:6, 18,20 181:9 201:14 202:1	interplay 37:9
improperly 39:15	inconsistent 118:2 122:8 153:5		inspection 23:19 24:2 180:1,7,17 181:8,19 183:5 201:18	interpret 8:15
inaccurate 153:22	incorrectly 93:16		installation 19:1 48:1	interview 25:9 32:21 76:2 81:8 120:20 134:19 175:13 187:8 197:10,22
inappropriate 50:16 51:6 68:11 69:11, 13	indicate 40:14 87:3,16 103:16 120:18		installed 41:10 47:3,6,	interviewed 69:21 175:15 197:17
inbound 188:1	indicated 45:6 57:19			interviews 40:13 80:6,9,
incident 48:11,21 77:14,15 86:2				

CAPTAIN SAMUEL STEPHENSON, J.D.

August 11, 2025

10,12,14 81:2, 4 94:11 175:7, 10,17 177:3 190:5,20 191:15 introduced 158:15 investigation 25:17 49:6 93:12,21 94:4, 19 95:1,4,17 150:7 152:3 155:19,20 156:4,5,9,15 157:1,17 174:2,6 194:20 invoices 193:11,13,16 205:20 involve 14:17 involved 9:5 11:19,21 12:2,9,10,14, 15,21 14:16 15:3 73:11 92:17 169:6 irrelevant 48:4 150:11 isn't 54:20 121:10 148:22 issue 44:10 47:17 49:2,5,16 52:18 53:19 54:6,13,15,20 70:1 78:4,14, 18 79:5,12	80:1 91:16 96:1 97:8 100:2 101:21 102:3,8 111:8 114:13 122:4, 12 133:15 141:19 147:11 155:20 157:4 194:3 issues 14:4 28:14 46:7 47:10 53:16 items 184:4 <hr/> J J-A-R-K-E-I-S 101:17 J.D. 6:14 10:3 22:11 Jacksonville 191:12 204:15 James 5:20 6:3 167:20 177:20 184:13 185:1 January 156:8 157:8 194:11 Jarkeis 98:4,20 101:15 205:5 Jason 205:7 Jett 6:1	Jim 8:22 44:3 51:15 79:19 119:3 127:18 128:10,14 129:3 158:14 178:8 195:18 198:22 Jim's 128:22 job 56:2 66:12 119:2,4 John's 204:14 joint 128:2 jointly 128:7 Jordan 88:18 July 74:14 201:14, 19,22 June 22:11 24:7,11, 20 25:2,6,11, 16 29:1 42:1 47:2,12 48:2 49:13,20 53:18 54:12 55:1 58:8,19 72:5,16 73:1, 21,22 74:4,10 77:17 84:17 92:19 101:6 108:10 126:3 127:2 148:11 150:13 152:22 157:20 184:18	197:21 199:14 206:3 junior 165:19 jurisdiction 14:20 <hr/> K keen 174:7 Ken 186:7 kept 109:20 110:1, 3 192:4 kind 28:20 53:16 63:7 77:8 85:5 98:3 126:9 130:10 134:3 154:10 162:5 164:17,18 165:22 168:22 169:5 177:13 179:15 183:14 187:5 194:19 203:13 knew 8:3 82:2 192:16 199:4 knots 32:19 135:17 know 7:18 15:4 17:10 21:5,9 27:18 28:3,7,9 30:6 31:3,12 32:2,6,14 33:8 36:21 37:1	38:10 40:3,9, 17 41:4,5,15, 18,22 43:12 50:3 52:19 57:6 60:13,22 61:7 72:2,7 76:3 80:12,14 81:20 83:17 84:7,12 89:2 90:19 92:3,17 95:15 107:9 108:17,19 110:21 111:6 114:14 118:9 121:1 122:16 125:4 126:2 138:20 139:6 141:11 145:4 146:14,18 147:16 148:13 152:16 154:2 156:16,20 158:22 159:4, 7,8,19 161:17 162:1,2 163:15 169:17 173:4,19,22 174:5,19 175:8,10 176:13 182:17,20 186:12,13 188:5 189:16 191:1 192:6,8, 13,15,19 195:9 200:3 206:15 209:22 knowledge 9:5 20:11 29:14,15 70:17 78:19 88:1 105:14 106:6 109:4
--	--	---	---	---

CAPTAIN SAMUEL STEPHENSON, J.D.

August 11, 2025

155:15 170:9 175:12 204:19 207:16,18 knows 126:6 174:7 <hr/> L <hr/> lack 39:4,7 40:1 92:1,4 133:19 155:10 201:9 ladders 16:7 laid 145:7 147:7 land 93:10 landed 93:7 language 118:13 large 142:10 189:1 Larraway 205:7 Lasker 167:21 170:18 last 11:18 18:7 44:8 46:18 72:4,15 82:6, 17 179:21,22 180:4 185:11 189:9,11 195:5 lately 165:6	later 74:2 111:12 128:20 Lauderdale 19:21 159:2 204:17 law 62:22 162:9, 11 lawsuit 205:13 lawyer 10:5 lawyers 128:16 laying 146:13 lays 59:8,9 leading 202:16 leads 207:6 learn 180:16 learned 47:1 139:8 183:4 learning 49:5,10 least 28:22 131:14 165:8,11 180:12 207:1 208:21 leave 42:7 57:21 60:10 111:10,	11 147:5 148:17 149:11 162:3 leaves 111:10 leaving 164:2 left 14:18 36:22 37:3,15,20 38:12,16,20, 22 39:9,12 40:4 90:18 104:16 115:4, 6 135:4,5 136:5,19 146:10 147:13 legal 5:11 11:1,4 42:22 58:11 83:7,9,12 Leonard 120:10 205:6 less 20:21 126:1 145:7 let 8:5 17:10 18:15 27:7 28:18 33:15 45:8 48:10 56:1 79:19 118:19 120:8 123:11 127:18 132:4 177:7 194:9 195:20 Lewis 42:8 46:13 74:2 130:18 144:16,17	201:18 202:4 Lewis's 131:7 203:10 license 113:22 154:12,22 155:2,3,7,22 156:1 195:2 licensed 10:7 114:4 160:8,12 200:19 lie 51:22 52:2 lied 51:8,16 149:1, 3 151:22 Life-saving 16:15 lights 125:21 like 8:12 12:22 13:1 22:5,17 26:4,7,9 27:5 30:17,18 31:8 44:18 45:12 47:20 55:8 61:7 62:20 65:21 68:12 69:12 71:15, 16 76:2,14 84:5 89:10 90:19 91:4 92:9 94:22 97:6,14,17 98:15 99:8,19 100:7,17,19 101:6,21 102:3,7	106:11 113:11 118:1 127:17, 22 128:5,9 132:21 133:1, 13 134:14 136:1 137:8, 20 141:14 146:13 157:11 159:9,16 161:1 164:19 165:4,9,18,22 167:21 170:9 172:1 173:1, 11,22 174:2 175:10 177:11 178:21 180:12 182:17 185:11 186:2 190:6, 21 205:1 likely 90:8 likes 106:9 limitations 71:8 116:12 line-of-sight 97:8 lines 88:11 list 9:7,15,20 11:15 15:9 17:9 18:14 75:10 81:3 186:10 189:4 listed 37:4 49:22 51:11 58:16 64:14 68:18 184:3
---	---	---	--	---

CAPTAIN SAMUEL STEPHENSON, J.D.

August 11, 2025

listen 42:17	182:6 183:10 200:22 205:19	172:2 186:1 189:17	53:15 54:6,9 55:15 56:17 57:12 85:2 99:7,19,21 100:7 101:6 118:3,4 130:21 150:16 168:3 169:1, 22 170:1 175:5,21 187:14 205:12 206:5	205:16
listing 187:6	lookout 12:16,21 13:6, 11,14,21 14:2, 3,4,7 17:6 28:14,16 54:22 55:2,9, 11,12,18,19 56:5 66:5,12 96:1,7,13,22 97:2,7,11,15, 19,20,22 98:5, 11,18 99:1 101:1 103:15 104:16 105:5 106:11,19 108:11,15 110:14 111:5, 10,14,17,18, 20,21 112:6, 11,17,20 113:9,14,20 114:8	low 98:9 165:1	lower 183:9,10	makes 50:17 55:16 83:21 105:20 107:6
literally 87:7 140:11 143:4		M		making 34:14 94:13 106:4 164:20
litigation 7:5 15:3 70:13		mac 77:9,21		malfunction 117:19 121:19
LLC 5:6		Mackenzie 6:5 24:7,10,19 25:1,6,10,16 26:4 28:21 29:6 30:7,18 32:3,12,17 35:8,15,16 41:8 47:3 55:1,8 57:3 58:20 61:2 64:13,16 65:7 66:3,15 67:8 73:1 84:9,19 86:8 88:17 90:18 91:14 92:10,11,16 97:17 101:5 102:14,19 103:6 106:11 110:22 111:7 125:13 126:3, 8,12,20 127:6 148:7 179:17 184:8 190:1 200:18	main 161:18	malfunctioned 73:7 201:6
local 186:3			maintain 113:15,19 114:1	man 9:11 68:1 129:1 202:13, 19 203:3
located 5:11			maintained 72:5 114:11	management 59:18 60:8 61:11 62:2,14, 16,20 64:16, 22 65:6 66:3 67:4,6,19 68:10,21 69:10 109:10 145:4 147:1 149:2,3,7,9 151:22 207:5
location 160:13			maintaining 110:18 112:4, 13	management's 59:16
log 77:21 108:21 164:9,12,16			maintenance 19:4 72:8	mandated 26:15 162:9, 11
logged 123:18,21 124:3	lookouts 27:5 66:4		make 22:3 26:7 50:13 51:1,2,3 52:8 61:11 63:7 71:20 80:11 82:5 93:22 98:14 99:22 100:3, 12 107:10 113:1,8,11 114:7 115:21 117:3 125:18 129:19 130:13,14 159:4 171:5 180:22 190:10 197:9 201:13	manned 97:20 200:19 209:8
logs 77:9 109:2,6, 12,13,17,19, 22 110:6,9 194:2 205:12, 15	Lorman 44:7 46:17	Madam 210:2		manning 92:11
long 10:16 15:9 43:12 117:1 156:3 159:19 170:6	Los 5:11	made 20:14 26:8 34:13,17 48:7		manual 41:3,13,16,19,
looked 15:8 50:4 62:7 75:7 99:10 132:6 159:7 180:8 181:20	lose 119:13			
	loss 37:8 77:8,20			
	lost 44:9 78:13			
	lot 62:16 103:5 130:8 136:3 164:22 166:8			

CAPTAIN SAMUEL STEPHENSON, J.D.

August 11, 2025

21 42:1 71:1,4 124:17 143:13 144:3 183:8, 18 207:21 manuals 62:17 64:19 71:10 183:7,8 manufacture 18:16 manufactured 70:20 71:7 manufacturer 107:15 manufacturers 71:7 Marine 5:6 6:4,5 188:16 189:5 202:21 maritime 27:15,21 135:3 200:17 Mark 5:18 7:2 26:8 30:20 33:18 42:5 45:21 51:7 63:5 118:13,17,22 119:9 122:16 151:18 156:16 marked 21:15,17 22:5 23:1 97:10 102:5 170:21 176:12 178:10 marking 178:7,11 master 104:14,16	105:6,21 116:18 154:13,19 163:19 166:6 master's 108:7,8 mate 14:10 33:5 37:11 40:7,9, 14,18 41:7 55:4 56:5,12, 18 86:6,22 87:16 92:21 93:15 94:13 96:6,21 100:2 104:2,10 112:2,10 113:10,18,21 114:6,9,11,15 117:18 118:3, 14 120:7 121:17 122:2, 10 124:4,11, 16 148:5 153:8,18 154:13 156:14 157:8,18,20 163:20 184:13 197:4,8,16 201:5,7,9 209:8 materials 47:9 57:1 58:16 67:7 208:20 mates 66:7 182:7 matter 5:5 22:15 23:4 49:6 60:5 74:21 75:3	96:5 102:12 114:13 183:22 186:19 matters 14:15 may 7:6 10:13 18:12 46:12 51:21 97:11 107:17 111:13 146:17 158:7 163:21 164:16 168:20 177:12 178:3 187:3 193:5 maybe 133:20 146:14 170:6 191:19 Mcallister 188:10 202:20 Mcgrath 205:7 mean 29:20 30:20 31:2 36:7 42:20 59:22 76:13 81:21 83:20 86:6 89:5 96:11 109:9 116:7 122:14 128:6 129:11 135:2 137:15 168:15 210:21 meander 37:20 39:12 meandering 36:15,18,22 37:3 38:11,15, 20,22 39:5,9,	18,21 meaning 23:8 57:14 means 76:3 83:12,18 88:15 135:3 meant 173:5 206:16 measurement 117:12,14 mechanically 194:6 mega 140:10 141:1 161:10,11,14 163:14,18 191:9 member 25:19 26:3 30:7 41:7 72:22 90:14 122:3 123:4 157:4 members 41:1 61:1,8 64:12 65:1 99:2 153:5 154:2 196:22 memorializes 126:14 memorializing 194:19 memory 53:22 79:2 173:12 mentioned 7:3 48:22 49:4 53:14 122:4	message 118:8 120:15, 19 121:1,3,5, 7,10 124:9 134:4,11,14 197:13,19 messages 76:9,12,21 175:3 199:20 200:2 method 5:8 Michael 6:7 middle 26:14 36:16 134:3 154:10 171:1 173:3 midship 134:20 135:1, 12 136:9 midships 135:5,6,13 might 101:16 161:12 188:2 210:18 Mike 46:5 mile 166:14,18 167:1 miles 163:6 166:15, 21 167:2 Miller 41:7 57:20 58:3 60:4 120:19 121:11 123:19 134:8,
--	--	--	--	--

CAPTAIN SAMUEL STEPHENSON, J.D.

August 11, 2025

12,15 146:9, 14 147:11 150:6,17 152:3 184:11 196:8,14,17 198:4	mode 47:20	Morrissey 153:9 184:10, 14	most 143:5	44:3,6,12,18 45:1,9,11 46:15,21
million 140:12 141:2	moment 22:1,7 43:19	Morrissey's 153:18	mostly 202:17	48:19 50:5,11 51:19 52:4,8, 12 53:7,10,13 63:6,10,13,17, 20 64:7 68:8 71:18,22
mind 113:4 119:12 195:18	month 8:7 10:22 74:8,9 165:1,3 191:20	Morrison 55:4	motor 133:9	79:18 83:6,11 94:5 101:11, 16,19 104:8 107:22 118:21 119:2,12,16, 18 120:1
mine 127:18	months 41:10 147:22	Morrissey 19:8 33:6 35:2 37:11 39:3 40:8,10,15,18 41:7 56:5,12, 18 80:6,22 81:1,4 86:6,22 87:16 92:21 93:15 96:6,22 98:4,12,20 100:3 104:2, 10 112:2,10 113:18,22 114:11,15 118:3,15 120:7 121:17 122:2,11,15 124:4,11,16 147:21 148:6 154:13 156:14 157:9,18,20 174:12 175:8 177:4,21 178:3 185:1 194:7 196:7 197:4,9,17 201:7,9 205:5 209:9	move 15:22 40:4 43:3 52:9 53:12 130:7	122:15 123:1, 5,8 126:6,16 127:16 128:4, 8,13,15,18,21 129:3,11,20 130:6 132:9 151:21 156:11,20 158:4 173:2
minor 131:3	Moore 120:4,12,19 121:5,8 124:6, 7,12,13 134:8, 12,14 147:2 148:13 176:15 205:6		moved 53:2 114:17	
minutes 7:3 43:12,15, 16 44:17,19 45:12 56:13, 19 63:4,12 111:12 127:12 129:7,9,14,17 188:3	Moore's 176:13		movement 131:1,13,21	
misled 59:18	Moran 186:2,8 188:10 190:14,15,17 202:21		movements 8:15	
misrepresent 53:5,6	more 7:20 10:14 13:14 26:9,16 64:9 90:8 91:5 99:2 101:14 105:13 106:5 109:7 126:1 128:19 129:6 134:4 136:14 145:6 165:6 186:4 187:20		moving 132:2	
misrepresentat ion 150:17			multiple 123:3 153:4	
missed 162:14			must 104:15 169:4	narrow 17:14,19 70:8 107:4 115:1, 10,18 137:21 138:22 143:18,21 144:4
misses 92:18			myself 62:6 158:15	
Mississippi 191:12 204:16	morning 5:4	Morrissey's 94:13 117:18 120:20 177:18 201:5	<hr/> N <hr/>	
MK2 143:12	Morris's 178:10	Morrisseys 81:5 175:21	name's 158:14	nature 9:10
			named 186:7	nav 125:21
			Nanavati 5:18,19 6:20 7:3 21:18 25:8 30:21 33:19 34:1 38:3 42:9,14,20 43:6,9,13	Naval 168:19 169:2
				navigate 87:10 203:18
				navigated 86:9

CAPTAIN SAMUEL STEPHENSON, J.D.

August 11, 2025

navigating 86:7 87:9,18 97:16 99:1 102:19 106:12 140:6	201:8 nice 123:10 Nicholas 205:7	18 144:2 145:8,9 146:21 147:19,20 149:7,15 154:4,7,12,21 155:15 156:15,17 161:6 163:2 164:10 167:12 169:15 171:3 173:18 174:4, 9,18 175:12 177:6 183:19 186:13 187:20 190:21 191:2 192:6,12,14 194:19 195:1, 11 196:20 201:19 203:14 205:3 207:18 209:18,19 210:5	normal 167:10 normally 40:22 94:22 97:4 182:21 183:1 188:1 note 43:2 194:10 nothing 34:20 106:17 107:1 114:21 notice 132:15 noticed 10:2 noticing 5:16 notification 144:9 notified 58:8 144:18 145:1 150:6 152:1,21 November 47:7,11,12 58:13 nowadays 133:3 nozzles 161:17 NTSB 198:14 number 5:6 96:14 109:20 132:3 133:12 143:9 144:13 153:3 178:1 184:8	206:18 numeral 82:7,13,14 numerous 20:3 67:21 68:2 <hr/> O <hr/> O'ROURKE 205:6 object 46:12 83:22 119:8 194:1 200:12 203:5, 21 207:17 208:15 objecting 45:22 46:1 83:15 objection 14:21 25:7 26:5 29:19 30:19 37:21 43:3 46:14 48:16 49:11, 21 50:20 51:1, 2,12 52:9,16, 17 53:20 54:14 58:4,10 59:5,15,21 60:11 62:9 65:9,19 67:11 69:17 72:10, 18 77:1 78:20 79:6,13,14 80:2 83:3 84:21 85:18 91:6 94:3 95:5,11,18 102:15,21
navigation 15:17,19 16:2 17:15 27:4,22 97:13,14 101:22 102:4, 6,9,14 104:15, 22 125:7,14, 20 126:9 137:15 163:11	no 10:6,8 15:1 16:10,12 17:15 18:18, 21 19:2,5,11, 14 20:18 24:5, 13 25:3,14 26:6,16 27:6 28:4 29:14 30:9,15 31:22 32:5,9 36:9 37:1 40:11,16, 21 41:11,17 42:3 43:4 47:5 53:2,8 54:17 56:7,20 58:5, 7,14,22 59:10 61:5,14 63:1 69:14 70:5,17 71:22 73:9,13 74:7 76:4,18 78:12 84:9 85:19 88:4 92:5 94:16 98:10 99:22 100:2,12,22 101:7 102:1,5, 6,10 103:10, 13 107:6,22 110:11 113:3 115:18,21 118:11 124:7 128:13,15 131:2,20 132:9,20 133:13 138:14 139:11 140:4,	NOB 168:19 nobody 98:18 non- consulting 11:1 none 12:4 15:7 192:15 Norfolk 5:21 29:1 86:9 88:18 117:8 158:10,17 168:6,16 192:11,13,16 norm 141:12,21		
navigator 133:21 187:2 Navionics 117:14 Navy 162:16,17 168:5,9,12,13, 14,15,16 170:12 needed 98:5,21 111:21 114:8 Neither 24:13 never 65:10 66:9 134:20 NFU 125:17 180:20				

CAPTAIN SAMUEL STEPHENSON, J.D.**August 11, 2025**

103:21 104:5 105:1,16 106:8,20 107:5 109:7 112:7,18 115:2,20 116:16 121:13,22 122:13 132:1, 8,11 145:18 147:6 149:5 150:21 151:5, 11,18 152:6 156:10 157:11,22 162:7 194:10 196:9,15 197:5 198:1,6	30:4 33:1 34:12 47:13 55:3 84:17 132:19 150:15 occurring 47:22 Oceanic 189:5 202:21 off 5:13 11:7 17:9 43:1,9,18 45:2,11,15 64:1 116:8 129:17,22 164:18 179:6 184:12,15 200:21 211:7 offend 7:12 offer 171:4 offered 25:4,9 office 198:10,13 officer 34:3 55:8,11, 18 96:6 104:14,17 105:6 169:3 187:2 200:22 officers 105:21 offshore 166:15 167:2 Okie 43:9 omissions 104:11	onboard 67:15 one-man 186:16,18 187:13 189:21 190:2 191:4, 16 203:7 207:11 one-year 169:8 ongoing 65:2 95:17 only 7:17 46:8 51:11,17 53:1 87:19 90:2 118:12 137:22 138:10 139:12 143:2 146:5 162:5 166:4 183:13 185:2 197:3 OOW 184:19 opening 70:7,8 89:17 138:9 140:19 160:2 161:7 opens 159:16 operate 96:22 133:3 139:22 162:21 166:4 167:4,7 181:11 185:21 operated 166:5 167:13 operates 55:11 163:20	operating 14:2 19:16 32:13,15,18 138:1 141:21 155:21 164:4, 11 188:6 operation 41:9 109:6,11 159:13 182:12 189:19,22 190:2 191:4 200:17 operations 16:11 133:10 168:19 190:8, 11 191:16 202:13,19 203:3 207:12 208:20 operator 55:12 104:19 105:11 106:3 110:2 189:7 operators 185:8 opine 21:1 85:4,10 opining 14:9 54:5 144:16 opinion 13:6 31:22 32:17 34:8,18 36:17 37:2,11 38:9,17 39:3, 14,19 40:7 48:4 54:21 84:16 85:1,10 90:7,17,21 91:13,20 92:10 96:5,11	98:8 99:12,21 100:11,21 101:2 103:2, 17 107:6 110:13 113:5 114:10 115:21 125:1 127:5 130:10 133:18 136:8,20,21 138:6,8,10,15, 17 139:2,4 140:4 143:20 144:6 150:10 153:20 154:3, 21 156:1 184:7 185:4 200:18 opinions 13:20 15:4,7 19:6 22:10 23:2,8,11 90:15 180:18 207:1 opportunity 190:10 opposed 118:18 option 43:5 oral 52:3 order 50:14 ordering 210:21 211:2 orders 164:7 original 121:18 130:10
---	--	--	---	---

CAPTAIN SAMUEL STEPHENSON, J.D.

August 11, 2025

Ortsbarge 57:3	187:14	part 15:6 27:21	pasted 120:15	9:12 46:8
OSG 188:18 202:21	Overall 186:13	46:6 98:17	path 102:19	155:21 156:2
other 9:3 10:20 11:10,19 13:15,22 14:17 19:22 20:8 25:12 26:1 32:21 39:20 40:6,13 41:7 42:10,11 47:22 49:9,15, 18 53:16,18 54:9,12 67:7 71:7,10 77:20, 22 81:5 84:17 87:12 88:8 90:1 94:18 95:16 96:21 112:3 116:22 120:11 121:4, 17 124:4 126:4,13 128:9 132:5 137:20 146:8 148:6 153:14, 18,21 155:9 169:21 173:13 183:1 185:8 190:8 196:22 204:22	overboard 9:11 68:1	119:7 155:2 163:3 181:18 199:10 205:8, 12,15 207:2,8 208:3,21 209:5	patience 192:18	186:20 197:3
	Overseas 188:21		pay 110:11 183:1	personal 202:8 204:8
	owned 29:1 84:19	particular 15:15 22:15 31:13 32:8 40:19 68:13 70:4,19 74:21 78:16 79:4 92:15 93:14 94:1,20 99:6, 18 102:12 104:10 105:13 106:6 110:13 111:1,3 116:12 120:6 125:3 130:12 133:9 138:18, 21 140:15,21 148:11 159:1 160:6	paying 37:12 39:4,10 54:19	personnel 185:9,19
	owner 29:12 104:3, 12,19 105:11 106:3 115:8		peak 165:1	Philadelphia 191:12 204:14
	owner's 71:1		people 97:21 142:15 148:8 165:15 176:14 186:10 189:12	phone 54:7 174:12, 14,20 175:4 191:19
	P		percentage 11:18	photo 57:16
	P.M. 211:9	particularly 139:22	percentages 11:2	photocopy 183:17,19
	pages 22:19 81:18 130:11 173:17 175:22 177:11 179:20	parties 6:8 128:16,20 193:20	performance 48:1,13 49:19	photos 56:11,14 99:10 100:5, 11 101:4 145:11,16,21, 22 180:11,14 181:4,14,17
	paper 51:10	party 42:6 128:5	performed 30:12 31:12 127:6	physical 36:19
	papers 51:9,10,14,16 52:22	passed 125:7,8 126:18	performing 166:3	picture 61:16,18 62:1, 3,5,7 88:10
others 10:15 81:22	paragraph 26:14 82:7,13 86:1 121:4 125:6 127:2 137:8 185:7 191:8,11	past 147:21 170:12	period 38:12,16 164:21 207:22	pictures 146:4
otherwise 107:19 162:18		paste 123:16	permit 115:9	piece 107:11 179:15
outbound 86:9 186:17 187:22 188:2	parentheses 124:17,18		permitted 42:11 107:19	pier 93:7,10 194:12
outreach			person	piles 36:14

CAPTAIN SAMUEL STEPHENSON, J.D.

August 11, 2025

pilot 11:5,10 20:1, 2,15 27:2 70:16 73:5,10 109:17 160:6, 8,12,16,18,21 161:6,10 162:4 163:4 164:3,10,12, 21 165:19,20 166:4,8,9,12 167:4 168:10 185:10 187:4 190:7 192:3,8 204:2,12,13, 14,15,17	Pleasure 16:5 point 8:20 28:10 33:7 35:18 38:6 88:19 98:11 103:10 111:13 129:5 131:17 135:17 153:1 173:3, 16 184:8 185:3 points 85:5 110:15 111:3 policy 115:18 208:13 pops 72:1 port 16:9 20:6 24:1,3,9,12 68:16 136:15 139:17 140:7 141:17 143:2 147:9 160:6, 20,22 162:10, 11 164:2 165:16 166:17 167:14 182:8, 19 185:11,21 186:4,19 188:7 190:6 191:8 195:16, 17 204:17 Porter 205:5 ports 143:1 191:2, 22	Portsmouth 5:21 117:8 158:10,17 position 57:14 positions 209:7 possible 63:8 186:9 possibly 10:15 11:21 28:9 post 111:13 177:18 Post-incident 153:4 posted 14:3 111:18 potential 102:8 110:20 practical 137:18,19 practice 10:5,7 30:16 31:19 107:8 practices 62:18 preceding 56:13,19,20 precise 51:13 109:8 predate 92:19 108:10 predominantly 161:8 prefer 7:8	Preliminary 81:11 prepared 22:15 74:1,2, 3,13 109:18 present 5:15 presumably 40:5 107:14 112:14 123:19 150:5,17 184:10 presume 188:13 pretty 42:16 93:9 122:2 125:22 165:13 189:13 prevailing 201:1 prevent 107:1 115:8 prevents 104:19 105:11 previously 9:16 12:14 178:9 prior 15:2 17:19 30:8 31:12 32:4,8 35:8, 17,22 72:16 86:18 87:17 92:18 111:7 124:18 147:22 193:6 205:20 privileged 25:7	probably 112:14 129:6 130:9 147:15 149:3 158:7 165:5 175:16 195:11,12 procedure 50:16 55:9,10 69:4 106:13 116:5 125:22 126:7 181:1 procedures 106:15 108:3 125:12 180:19 188:6 191:1 proceed 44:2 45:20 64:6 130:5 179:11 produced 35:14 program 165:22 prohibit 106:18 107:12 114:21 prohibited 68:15 85:12, 17 107:7 201:2 prohibits 106:3 115:13 promptly 144:18 145:1 proper 12:16 180:22 209:9 properly 14:19 37:14
---	--	--	---	--

CAPTAIN SAMUEL STEPHENSON, J.D.

August 11, 2025

48:5 125:19 184:19 200:18 propulsion 164:5 protocol 126:7 protocols 125:12 provide 9:8,9 10:13 11:16 15:5 23:3 46:1 64:22 65:1 178:12 provided 9:14,20,21 10:10 11:15 13:21 15:5 40:18 41:6,19 47:9 49:17 57:17 64:12, 15 66:14 67:8, 18 145:11 205:11 providing 13:5 provision 207:2,9,16 209:6 public 162:17 publication 154:17 publications 155:10,12,14 published 27:3 pull 22:1 118:19	195:20 purpose 108:19 178:11 purposes 137:18,19 pushed 29:5 84:18 136:17 pushing 28:22 84:10 135:19 189:11 put 33:6,7,13,17, 22 39:15 40:15 48:18 50:1 52:10,16 54:1 55:20 66:21 81:19 107:11 109:20 115:22 118:16 119:1,4 122:21 123:7 133:2 164:15 175:16 180:14 199:8 206:15 putting 79:16,20 114:4 116:4 <hr/> Q <hr/> qualified 15:14,18 quarter 129:19 question 8:4,9,10 15:21 20:22 23:6 30:22 34:10 38:2 41:3,5	44:8 46:18,20 50:6,10 51:5 53:11 59:7 61:22 65:16 68:19 69:8 83:5 93:19 95:20 98:3 99:16 104:7 105:8 106:1,2 107:21 108:1 109:14 112:9 113:3 119:9 122:9 132:12 134:10 145:19 148:22 149:8 151:15 155:8 156:17 169:1 175:11 177:16 182:16 187:16 question's 135:15 questioning 50:10 119:8 questions 7:6,22 22:6 28:19 41:14 50:15 73:15 119:3 128:5, 12 129:6 158:6,7,20 170:22 172:20 175:9 179:2,4 187:18,22 192:18 209:19 quick 28:18 71:13 quickly 157:6 210:15 quote 207:12	<hr/> R <hr/> radar 125:21 railboat 100:18 railroad 5:21 29:22 61:17 82:18, 21 88:18 99:15 117:9 158:11,17 raise 6:12 ran 112:14 rates 74:21 rather 91:15 121:20 136:19 ratio 138:18,21 139:9 171:5,6, 7,9 reached 187:7 190:15 read 33:15 41:15 45:1,2,8 46:19 51:21 64:18 69:9 71:4 93:17 104:13 148:8 149:14 152:13,16 169:2 176:14 177:15 200:15 202:6,12	reading 8:7 17:8 18:12 33:4 41:13 47:5,16 49:10 113:13 205:4, 8 real 97:13 195:12 reason 31:22 39:5 73:8 83:1,15 84:3 98:10 100:22 107:12 109:12 112:12 113:19 115:22 118:14 133:18 145:9 146:21 154:7 164:16 191:6 reasonable 200:17 rebuttal 74:1 130:9 179:16 185:3 recall 9:6 13:5 17:19 23:21 24:3 35:18 36:2 47:4,7,8,15,21 48:3,15 49:9, 12,15 54:15 67:4 68:1,5 69:13,18,19 72:20 76:12 77:20 79:3 80:19 81:15 93:1,8 103:10, 12 108:14 118:11 132:20 135:18 149:20 167:22 168:21
---	---	--	---	---

CAPTAIN SAMUEL STEPHENSON, J.D.**August 11, 2025**

169:13,17 170:2,10,13, 16 173:17 174:22 175:1 176:2,4,6,20, 21 177:1 190:18 191:20 193:5,16,17	64:1,4 79:16 129:22 130:3 175:4 179:3,6, 9 184:9 190:19 191:6 192:4 206:1 210:4 211:7	80:12 reflected 197:21 refresh 53:22 79:2 regard 91:20 regarding 13:21 15:19 19:7 26:1 41:8 47:1,10,22 48:12 49:18 54:10 55:16 66:15 67:9,18 90:15 94:9 98:19 120:6 121:11 193:20 207:9 regardless 65:17 151:2 regular 8:12 31:22 32:3 111:17 142:1 188:8 190:22 211:2 regularly 141:9 regulate 104:1,3 regulation 154:17 regulations 66:15 68:16 98:19 116:15 155:9 208:14, 18,19 reiterated 209:16	related 12:15 27:4 65:7 66:4,16 68:5 71:1 77:22 94:18 120:19 133:15 relates 15:2 25:15,19 26:3,22 32:7, 11 36:10,11 40:19 54:22 64:11 90:22 92:9,11 96:1 99:4 103:15 106:22 110:18 126:8 133:10 144:9 157:8, 20 relating 12:10 relative 191:16 relayed 196:13 relevant 15:10 18:13 118:13 151:3 relied 200:10 relieve 167:8 rely 123:13 208:3 relying 120:6 remember 28:13 50:8 72:19 81:22 132:18 135:8	158:3 169:21 193:8,10,13, 14 remembers 81:21 remind 44:7 46:17 remote 5:8 7:18,19 repair 72:9 193:17 205:20 repairs 193:6,21 repeat 8:5 36:20 38:1 57:5 60:2 104:7 111:2 153:16 209:13,15 rephrase 8:5 replaced 159:22 reply 51:14 report 10:10 18:12 21:5,7,13,14, 19 22:5,7,9, 14,18,22 23:7, 10 26:10 34:1, 20 58:18 59:12 60:5 64:10 73:16 74:5,13,20 77:2,4 94:9,10 103:16 108:13 113:13 118:7
recalled 49:5 receive 41:2 155:3 176:16 received 21:4,7,12 86:20 145:22 173:7,9 176:19 receiving 145:16 recently 71:11 75:7 recess 43:20 45:16 64:2 130:1 178:21 179:1, 7 recognize 81:22 recollection 35:21 76:21 79:10,21 93:4 175:19 record 5:3,14 6:22 7:13 21:17 43:1,10,18 44:1 45:2,3, 12,15,18 46:14 53:3,6	recorded 80:17 recording 76:2 recordings 75:12,14 76:1, 3,5 173:4 records 76:6,7 77:14 173:6,15 174:12,14,20 175:3 196:18 red 89:14,15 91:5, 9 135:9 refer 21:8 77:12 123:11 177:2 reference 55:12 184:17 referenced 120:14 185:12 referred 127:1 140:14 161:11 168:18 176:13 200:2 referring 78:10 81:1,5 122:21 175:20 177:5,9 178:2, 6 199:21 refers			

CAPTAIN SAMUEL STEPHENSON, J.D.**August 11, 2025**

119:7,21 120:3,16 123:12,14 145:9 146:9, 11,13,17,19, 21 147:3,10, 14,15,20 148:3 149:17 170:19 172:22 173:11 174:2 179:14,16 180:12 185:6 191:7 198:19 199:4,8,21 200:3 203:10, 12 206:6 207:22 report's 74:10 reported 57:20 59:2,19 60:9 146:12 147:2,4,11 148:1,4,15 149:11,18 150:18 184:11 194:15 reporter 6:10,11,18 8:14 46:19 71:13,14,19 101:9,13,18 178:12 210:3, 5,14,19 211:4 reporting 14:19 66:13, 16,17 67:1 146:18,19 151:7 reports 55:13,15,16	73:21 108:8, 10,12,16,18, 20 120:7 173:13,22 184:14 represent 5:19,21 6:1,4 7:4 158:16 representative s 202:9 represented 58:20 represents 158:10 request 166:6 requested 46:20 145:22 require 112:17 required 30:11,13,14 31:16 59:11 61:8,14 62:22 103:18 145:2 147:10 162:13,16 requirement 104:15 147:20 requirements 26:15 32:7 66:17,20 98:2 116:19 200:20 requires 189:21 research 42:22 43:1	reserve 169:3 198:19 Resolve 27:15 28:9 respect 92:15 148:10 respectfully 137:9 respond 51:5 responded 59:3 response 78:16 79:5,11, 22 153:8 184:6 responses 8:13 responsibility 164:9 responsible 51:15 109:11 rest 26:15 98:1 200:20 restricted 97:5 98:15 restrictions 143:18 restrictive 116:22 restroom 119:20 resume 169:2 retailer 72:7	retained 8:18 211:11 retired 169:2 Reuben 167:20 170:18 reverse 35:17 review 37:3 58:16 78:22 80:4 109:3,5,12 135:7 153:14, 17 158:1 172:22 193:11 196:17 203:9, 12 208:19 209:6,7 reviewed 23:8 25:20 26:1 37:16 48:9,11,13 50:8 57:2,9 61:4 68:20 71:10 72:11, 14 73:4 75:15, 18,22 76:13, 22 78:2 81:8, 19 90:3 95:8, 14 108:7 143:15 146:6 147:18 154:7 157:13 173:9, 14 174:8,14 177:16 184:4 193:19 194:2, 18,21 195:1 197:6,8,11 203:9,14 204:18 reviewing	193:13 riding 168:8 risk 31:5 67:10 110:20 113:2 River 167:20,22 170:8 191:12 204:15,16 rivers 170:12 203:18 road 17:6,16 27:15, 22 Roads 167:14 168:4 185:21 Rob 5:10 Rodgers 6:3,8 8:22 9:4 14:21 25:7,12 26:5 29:19 30:19 31:1 33:17,21 37:21 42:5,13, 18 43:4,7,11, 14,16 44:4,5, 10,15,21 45:8, 10,21 48:16, 20 49:11,21 50:7,12 51:7, 22 52:7,10,15 53:8,12,20 54:14 58:4,10 59:5,15,21 60:11,17 62:9 63:3,9,11,16 65:9,19 67:11
---	--	---	--	---

CAPTAIN SAMUEL STEPHENSON, J.D.**August 11, 2025**

68:22 69:17 72:10,18 74:7 77:1 78:20 79:6,13 80:2 83:3,7,13 84:21 85:18 91:6 94:3,6 95:5,11,18 102:15,21 103:21 104:5 105:1,16 106:8,20 107:5,21 109:7 112:7, 18 115:2,20 116:16 118:12,16,22 119:4,15,17, 20 121:13,22 122:13,16 123:2,6 126:4, 13 127:14 128:2,6,11,14, 17,19,22 129:8,14,18 132:1,7,11 134:9 145:18 147:6 149:5 150:21 151:5, 11,14,18 152:5,12,19 156:10,15 157:2,10,22 158:9 162:7 178:7,14,17 192:21 193:2 195:22 199:3, 6 209:18 210:9,12,17 211:1,5 Rogers 6:3 158:16 179:4 192:19	role 161:5 162:5 163:20 164:2 Roman 6:7 82:7,13,14 room 109:20 Rose 6:6 24:7,10,19 25:1,6,10,16 26:4 28:21 29:6 30:7,18 32:3,12,17 35:8,15,16,18 41:8 47:3 55:1,8 57:3 58:21 61:2 64:13,17 65:7 66:4,15 67:9 73:1 84:10,19 86:8 88:17,19 90:18 91:14 92:10,16 97:17 101:5 102:19 103:6, 10 106:11 110:22 111:7 125:13 126:3, 8,12,20 127:6 148:7 179:18 184:8 190:1 200:18 Rose's 92:11 102:14 rough 12:2 77:9 195:12 210:12,15 211:2 roughly 11:3	route 31:21 32:3 rudder 135:6,11 136:10,11,13 rudders 135:4 rule 208:7 rules 15:17,19 17:6, 16 27:15,19, 22 28:11 50:16 104:20 116:14 run 127:18 running 93:8 135:17 <hr/> S <hr/> safe 102:8 109:6 safety 16:5,13 62:14, 20 67:4,6 104:20 105:12 106:4 109:11 207:5 said 22:5 31:11,15 40:3 48:10 51:9,16 60:13 65:21 84:5 90:19 91:2 101:14 107:15 120:11 121:21 134:19 137:17 142:11,15	146:11 148:16 151:9,21 152:11 160:1 161:6,21 167:21 170:9, 16 171:3,10 172:1 173:5 177:11 178:4, 20 182:18 190:21 Sam 5:5 7:9,11,13 22:10 46:22 63:8,17 64:8 126:9 130:7 134:9 158:14 176:7 179:2, 13 Samuel 6:14 7:1 Sandy 204:12 satellite 47:18 49:1,16 53:18 78:4,14, 18 79:5,11,22 satisfactory 13:7 scene 14:18 57:21 59:4 schedule 11:5,6 schools 66:8 scratch 198:16 screen 54:1 55:21	123:7 150:1,3 176:8,10 184:10 screens 181:21 182:5 183:14 screenshot 118:12 199:7 screenshotted 77:4 sea 21:3 86:10 163:7 166:12, 14,16,20,22 167:1,14 168:3 170:15 Seamanship 16:21 season 165:1,2,9,12 section 74:1,20 85:14 96:2 108:11, 15 114:19 119:13 120:6 125:6 127:11 144:19 145:2 153:6 172:22 207:5 208:4, 10 209:3 sees 126:4 Senate 207:22 sense 11:17 20:13 80:17 107:6, 10 115:22 130:14 172:14
---	---	---	--	---

CAPTAIN SAMUEL STEPHENSON, J.D.

August 11, 2025

sentence 82:6,17 179:22 185:11	19 169:20,21 170:14,17 187:21	76:5 108:15 109:5 110:14 113:14,20 122:19 134:7, 8 136:7 175:16	signature 206:10 211:10	situational 37:8 39:4,8 40:1 92:2,4 112:13 113:19 133:20 201:10
separate 191:14	ship's 163:3		signed 176:5	
separated 17:11	shipboard 16:13	shouldn't 65:18 69:15	similar 23:6 69:16 70:1 71:8 203:13	situations 142:22
serve 98:4	Shipholding 188:21	show 93:20 150:1	similarly 91:19 106:22 110:1 124:3	sixth 174:11
serviced 72:17	ships 69:5 100:13 133:3 141:14, 15 160:15 168:3,16 182:18 186:14,15 191:9	showed 103:10 125:6 126:17 183:8 195:19	Simrad 41:9 70:20 71:1,7 143:12 179:17 182:15 183:18	size 137:22 140:16 141:22 163:16 166:13
servicing 18:20		showing 61:17 100:6 180:12		skipping 130:11
serving 10:20 25:19 55:19 164:20		shows 56:12	SIMULTANEO US 52:6 68:7	slid 61:13 145:7 147:8
session 208:1	shipyard 170:11	shut 150:8 152:4	single 14:1	slight 136:2
set 37:19 187:18 196:13	shoaling 97:11	sic 210:2	sir 20:5 94:15 100:10 101:7 135:14 158:6	slow 34:4
setting 104:20 105:5, 12 106:4	shore 148:8	side 13:9,10,14 29:8 89:11,13 112:15 146:4 147:9 148:9 159:16		slowed 34:18 35:16, 22
setup 186:21	Shoreline 189:9 202:22		sit 42:10,11,17 76:20 79:3 89:18 136:6	slowing 35:19
severe 136:14	shoreside 66:10 185:9, 19	sideswipe 145:17 146:3, 7	situation 13:11 14:8 78:17 96:16 98:14 100:4 110:19 113:2, 9,12 115:14 116:9 117:1 132:21 136:4 143:5,21 144:7 148:11	slowly 36:15,18,21
share 150:1 176:7	short 63:7 168:19	Sighting 202:22		small 11:4 55:7 94:21 100:17, 20 139:15 140:3 143:3,4 163:7 187:1,3 189:17
Sharif 205:5	shortly 134:19 158:8	Sightseeing 189:9		smoke 54:8 132:15, 17 133:1,4
ship 16:17 97:7 110:5,6,7 138:3 141:16 143:2 155:17 163:6 167:5,	shot 184:10	signals 54:8		
	should 26:18 41:13 43:13 47:20 55:18 65:18			

CAPTAIN SAMUEL STEPHENSON, J.D.

August 11, 2025

SMS 203:3,17 207:13	someone 87:10 98:7 114:3	source 139:8	spoke 186:11	6:21 83:3 110:19 112:4 113:15 114:2, 11 135:12 168:10
sole 201:10	someone's 154:22	South 88:18	spoken 23:14,17 24:6, 18 70:11 88:2	
some 7:6 10:14 11:19 15:10 17:2,5 19:6 22:6 33:1,7 38:6,12,16 57:15 67:17 71:1 73:8,15 76:2 79:9 80:17 81:21 90:15 112:12 116:11,12 122:5 128:9 138:4 140:11 141:14 158:20,22 167:4 169:4 170:22 171:5 172:1,20 175:8,20 179:20 180:14 181:21 182:11 184:9 186:12 187:10,11 192:15	something 12:22 39:21 42:19 44:13, 16 51:21 65:10,12,15 66:5,9,11 67:13 71:16 75:11 78:11 81:11 86:13 93:16 107:17 111:9,19 112:3 122:18 123:2 126:14 130:13 134:17 139:1 146:13, 16,20 174:8 178:2 182:21, 22 187:3 194:7	southern 29:1 86:9 170:8	spot 55:17	stated 34:3 46:3
		speak 24:22 25:5,9 46:6 151:1	SSI 48:15	statement 87:13 117:19 118:4 121:16 122:5,7,10,20 123:15 124:16 134:19 151:3, 9 152:1,4,17, 20 175:20 176:9 177:18 197:9,12 201:5
		speaking 9:18 50:13 51:10,12,17 52:6,15,17 53:1,2 68:4,7	St 204:14	
		speaks 121:14	stand 192:20	
		special 160:11	standard 55:9,10 62:19 67:15 97:19 106:10,12 116:4 125:22 127:9 138:12 146:18,19 171:4 188:6,8	statements 56:17 87:3 118:3 122:1 123:3 131:2 153:15,18,21 154:1,3 175:13,14,16 178:5
		specific 48:17 70:6,14 160:21	standards 96:10	stationary 71:17
	something's 40:3	specifically 17:17 122:21	standby 47:20 98:6	stay 98:1 109:19
	sometime 180:4 193:15	specified 5:13 62:4 97:12	start 110:22 132:22 133:5 136:1 137:20 155:13 187:22	stayed 89:5 135:12, 13
	sometimes 7:19 142:15	specify 190:2,4	started 35:2	stays 135:6
somebody 96:20 121:8, 20 123:19 124:4 148:6 154:19 163:19 164:4,12 165:18 174:6 182:2 187:15 190:8	somewhat 35:19,22	speed 32:12,14,17, 22 35:15	starting 179:15	steer 142:5
	somewhere 165:5 168:1 170:10 195:13	spell 101:14	starts 30:18 137:9 173:1	steering 34:4 77:9,21 78:8,13 116:2
	sort 164:5	spend 45:4	state	
somehow 173:19	sounds 46:15 133:13 165:9 190:6	spent 168:12		

CAPTAIN SAMUEL STEPHENSON, J.D.

August 11, 2025

122:4 124:18 125:6,14,16, 18 126:8,17 142:13,21 143:6 144:4 164:5 180:20 184:16,20 194:3 Stephenson 5:5 6:11,14 7:1,2,10 22:10 158:9 196:1 stern 33:6,7,13 34:4,5,21 35:8 133:2 136:3, 16 stick 100:19 still 73:18 162:11 170:19 174:5 stool 187:3 stop 8:4 50:20 52:11 102:18 stories 122:2 story 196:7 198:3,7 straight 91:4 134:3 172:5 Street 19:21 20:7,12 159:2 stringent 105:13 106:5	strong 93:8 135:16 structural 130:22 structure 34:14 36:19 stuff 130:8 156:19 subject 15:16 17:21 70:13 190:20 subjective 138:14,17 139:10,12 171:14 172:2, 18 subjects 67:19,21 68:2, 3 submitted 95:13 120:3,8, 9 184:18 199:14 subpoenaed 198:10,14 substantive 46:7 52:21 suggest 32:22 35:15 51:2 52:4 84:8 111:4 139:8 156:22 suggested 67:7 suggesting 136:7 suggests 58:18	super 71:20 supposed 206:4 surveillance 57:10 100:1, 12 103:8 131:1,14,19, 21 132:14 144:1 survey 185:8 187:8 191:18 192:5 202:7 203:1, 13 204:1 surveyed 191:11 204:10 209:13,17 swear 6:10 switch 34:3 124:17 184:15,20 201:8 switching 137:7 sworn 6:16 sync 210:7 system 29:9 40:10,15, 20 41:9 54:11 62:15,16,20 67:4,6 107:15 125:7 126:18 181:12,15 182:15,20 183:2 207:5	systems 18:20 19:1,4 104:22 125:18,20 <hr/> T <hr/> T-MOBILE 174:12,19 175:1 take 7:5 12:20 43:11,12 50:18 116:13 119:10,14 127:12,19 129:6,9,13 135:1 136:3 137:6 140:10, 20 141:1,8 154:22 155:6, 21,22 156:4, 14 157:5 161:6 163:4,8 167:9 178:21 179:1,13 taken 43:20 45:16 64:2 101:4 130:1 154:18 172:8 179:7 195:2 204:20 takes 155:17 taking 140:15 154:12 161:9 talk 86:22 123:12 185:14,17 186:7 187:22	190:7,17 192:10 talked 18:8 23:18 24:1 56:10 68:17 70:2 73:16 86:14 137:7 139:17 140:8 143:8 146:6 157:14 185:9 187:10 189:14,18 190:13 talking 17:6 20:3 31:5,8 35:11 39:13 48:21 69:5 77:13 97:1,6 116:9 142:9,14 151:6 159:5 171:2,13 173:10 188:4 192:3 202:7 talks 143:12 185:7 taught 27:20,21 team 46:6 technical 72:6 technically 164:3 telling 59:19 114:22 115:8 122:2 temporary 169:5
---	---	---	---	---

CAPTAIN SAMUEL STEPHENSON, J.D.**August 11, 2025**

Ten 63:16 128:21	124:9 134:4, 11,13,18 152:15,16,17, 20 175:2 197:13,19 199:20 200:2	143:8 144:13 148:2 149:12, 13 150:2 151:2 157:14 158:5 159:1,8 160:1,19 161:2,6,18 162:2 170:21, 22 171:3 173:6,16 174:14 178:2, 22 180:11 186:2 200:4 207:6	16 43:18 44:1 45:4,15,19 48:4,6,7,8 50:12 52:1 63:3 64:1,5 72:4,15 74:13 75:2 84:11 87:20 90:11 92:11 100:13 111:11 112:5 114:15 127:13 129:22 130:4 133:21 134:21 135:1 136:9 143:6 145:3 147:17 152:7 160:18 164:13 170:6 179:6, 10 191:2 209:16 211:7	191:15 196:8 198:4 tomorrow 210:17 Tonight 210:17 top 77:8 82:15 123:15 131:17 134:3 topic 15:16 topics 18:14 total 22:18 totally 131:17 touch 146:16 163:12 tour 189:17 Tow 202:20 Towing 5:6 6:4,5 190:14 202:20,21 track 29:22 44:9 61:17 88:16 91:3,5,10 92:1 tracks 57:14 62:8 traffic 98:10 103:5, 11 116:21 143:3,19,22
term 71:20 83:7,9, 12 138:13				
terms 135:3 181:7	texted 62:3			
test 125:6,13,16 126:17,19	texting 174:15			
tested 61:9	texts 60:16			
testified 6:16 9:15 69:10 206:2	That'll 128:19	thinking 114:15 147:15		
testify 15:19 17:21	thing 7:17 26:7 73:20 132:5 146:8 155:15 164:6 179:22 186:17	third-party 72:6 205:20		
testifying 46:11		thought 8:10 44:16 119:14 145:17 147:18 149:15 201:8	timeframes 76:14	
testimony 9:8,9,21 10:11,13 11:16 56:11, 17 68:9 69:9 176:18 197:22	things 18:11 40:6 45:5 81:21 88:8 131:8 172:21 185:3	thousands 20:17,18 106:14 182:18	times 5:13 99:2 136:3 139:18 151:21 164:20 166:8 195:10	
testing 125:12 126:7 150:20	think 8:8 18:12 21:6 31:11,15 35:1 42:16 45:5 47:18 51:12 63:4 77:13 81:18 86:6,16 88:7 101:11, 14,17 103:1 105:4,18 107:19 114:20 119:11 120:15 123:9 127:16 128:5 130:8 137:5,6 142:11,15	threatening 52:22 throttles 163:12 throwing 156:19 thrusters 161:15,18 till 129:19 time 5:9 11:11 24:4 29:16 38:12,	today 7:6 9:18,22 27:9 28:20 69:12 76:20 77:16 78:1 79:3 89:18 92:20 136:7 told 44:22 60:9 79:15 87:6 122:5 145:5,9 146:9 147:4,7 148:14,15,20 149:10,18 151:17 169:19	
tests 61:1 127:1,6				
Texas 27:20,21 167:19				
text 57:18 61:20 62:1 76:9,12, 21 118:8 120:15,18 121:1,7,10				

CAPTAIN SAMUEL STEPHENSON, J.D.

August 11, 2025

144:4 159:10 165:2 189:18 train 40:22 65:14 119:14 training 25:18 26:3 32:6 40:18 41:1 64:11,15, 18,19,22 65:3, 6,11,21 66:2, 5,6,8,10,12,14 67:7,8,18,20 68:5 160:12, 17,18 165:21 167:18 169:20 trajectory 89:3,6 transcribed 11:16 80:16 transcript 8:8 46:20 178:13 198:11,14,20 210:7 transcripts 68:21 176:17 204:19 205:8 transit 89:16 91:3 transited 19:17 20:10 70:3,12,15 88:17 170:7 transiting 28:15 68:12 85:13,17 115:10 201:3 transits	20:14 89:10 160:19 164:19 165:5 169:1, 19,22 trial 9:22 15:5 23:4 trials 170:15 tried 192:14 trip 30:18 104:14 trips 162:13,16 trouble 24:16 true 60:19 139:11 148:19 151:3, 10,13 152:4, 17 156:19 188:16 truth 148:20 153:9, 13 truthful 149:7,10 try 51:4 64:8 79:19 82:2 130:7 176:7 trying 8:15 53:9 63:7 80:11 83:14 90:16 105:2 126:11,18 158:21 171:11 173:18 177:13	TSMS 207:9,12 tug 6:5 16:11 25:19 26:4 99:18,20 100:8 140:2 142:6 179:17 185:8 188:7 189:2,7 190:22 201:14,17 202:9,12,18 203:8 tugboat 27:4 132:16 187:11 188:11,14 189:11,13 tugboats 182:18 tugging 69:6 tugs 186:17,19,22 189:1 191:9 195:6,15 202:20 203:17 turn 74:19 75:8 77:7 78:7 82:4 88:9 92:6 95:22 102:13 108:2 114:16 117:5 136:15 144:8 154:9 turned 182:1,2 183:13 184:12,15	twin 161:18 two-hour 189:17 two-man 99:3 type 8:14 14:4 64:21 72:6 93:21 107:2 123:16 133:6, 8,9 140:20 141:22 171:5 175:11,20 typed 80:19,20 176:3,4 types 140:5 typical 156:3 163:16 typically 140:6 142:12 161:15 typo 26:8 206:3,5, 14 typos 206:2 <hr/> U <hr/> U.S. 114:4 167:18 ultimately 173:5 194:5 197:16 uncomfortable 63:14	undergo 160:11 undergoing 165:21 underneath 91:10 97:9 understand 8:4 29:21 30:3 31:7 32:12 37:22 46:9 59:6,13 60:4,8 73:22 80:3 90:13 91:2 101:2 102:16 105:2 116:3,6 126:18 131:20 145:19 159:9 160:5 168:2 171:6,12 172:11 173:8, 19 177:13 180:3 181:7 184:6 185:13 187:5 197:14, 16 198:9 199:10,13 200:1 understanding 28:19 29:4,7, 10 32:16 36:4 46:22 57:1 58:1 59:17 72:3 83:16 89:19 91:13 95:2 116:12 125:11 126:10 127:5 133:8 158:22 177:17 187:9 196:12 197:15,20 198:5
--	--	---	---	---

CAPTAIN SAMUEL STEPHENSON, J.D.

August 11, 2025

understands 83:10	68:11,18 69:6, 11,22 71:2,9 72:4 85:12,17 91:3 103:15 107:4,16,18 114:19,22 115:9 116:5, 20 119:20 140:21 141:20 142:12,16 143:18 144:3 171:6 201:3 209:3	varies 10:14 11:12 163:21 164:22	106:4,6,7,10, 18 107:2,3,12 108:8 109:1, 11,19 110:1,4 111:10,16,22 112:22 113:6 116:2 117:4 121:5,11 122:4 126:1 131:18 133:9, 21 135:19,22 136:4,14 137:2,3 138:1, 6,19 139:13, 15 140:3,18 141:22 142:3, 6 145:6 147:2, 7 148:14,15, 18 149:16 150:20 155:18,21 157:4 161:22 162:8,9,10,17, 19 163:1,5,10, 11,19 164:14 166:4,5,6,11, 13 167:13 170:7 171:15, 17 172:3,5,6, 13,15 180:1,4, 6 181:8,10,13 185:18 188:5 190:10	17,20 141:7 142:10,20 154:4 162:6 167:4 182:18 185:21,22 187:13 190:22 205:12
understood 70:10 166:19 171:4 180:22 185:14		various 65:3,4 182:9 205:19		
underway 181:9,12,13		veer 90:18		video 5:14 35:4,7,11 57:9,10 99:10 103:8 131:1, 14,19,21 132:5,14 144:1 210:7
unit 65:14 117:14 130:21 132:4 133:13		verbal 8:13		
		verbally 53:15		
unless 5:13 142:10, 11 162:12 164:15	used 69:15 107:8, 13 133:4 159:10 182:15 191:9	versus 11:19 131:18 138:19 139:1		videoed 5:13
unsatisfactory 13:7	USG 118:9	vessel 12:6 13:15,22 14:6,8,18 16:5 19:16 21:9 23:19 24:2 30:17 33:4 34:14 36:3,15, 18 37:10,15 38:4,11,15,20 39:8,11 40:4 41:12,21 42:1 47:19 55:6,7, 17 59:2,4,8 61:13,17,19 62:1 65:13,22 66:9,12 67:14 70:9 73:7 83:21 87:10, 18 88:21 89:3, 16 90:10 91:10,21 93:9 97:5,6,9,16,20 98:10,13 99:1, 6 103:5 104:3, 12,19,20,22 105:11,14,15		view 64:13 96:19 99:7 131:18
until 53:17	using 133:6,8 203:18 209:10			viewed 196:11
unusual 11:6	usual 163:16			vigilance 110:19 112:4 113:15 114:2, 12
upper 56:12,15,18 86:7,16,18,22 87:4,8 97:17 98:13 99:5,14 112:21 113:7, 10 180:13,14 181:2,15 183:12,15 186:21,22	usually 156:4 167:2			violation 144:18
	V			Virginia 168:6
USCG 75:11 118:7 123:22 173:4, 5,15	vague 30:19 60:11		vessel's 136:12 166:7	visibility 55:7 97:5,18 98:9,15 99:11 100:2,6,14,21 113:1 116:22 181:2,4
use 12:11,16 20:6 41:8 65:7,11	vantage 131:17		vessels 13:12 65:4 69:4,5 97:8 106:14,16 109:6 115:9 116:5,13 125:15 139:21 140:5,15,16,	visible 59:10 130:22
	variation 165:2			vocations 10:20
	variations 135:22 171:21 172:2			

CAPTAIN SAMUEL STEPHENSON, J.D.

August 11, 2025

voyage 31:13 32:8 104:14 111:1, 7,19 143:3 168:3 188:2	wasn't 24:12 37:1 38:10 39:10, 16 42:3 54:19 58:5 60:14 68:22 80:15 84:11 90:6,19 91:17,21 92:5 98:15 112:14 114:14 125:4 126:20 127:3	15:8,16 17:9, 11,18 28:3 week 10:22 189:11 weeks 99:19 100:7 101:10 180:5 weigh 198:18 west 29:7,8 39:6,18 91:15 westward 36:16 89:13 westwards 36:18 wheelhouse 56:13,15,19 86:7,16,18 87:1,4,8,9,17, 20 97:18 98:13 99:5,8, 14 100:6,7,9, 19 101:5 112:3,22 113:6,7,11 180:13,15 181:2,15 183:9,11,12, 15 186:21,22 WHEREUPON 6:13 21:16 43:20 45:16 46:19 64:2 130:1 179:7 211:8 whether 13:5 15:4,13 30:6 31:12 32:2 33:8	39:20 41:4,6, 15,18,22 43:7 54:4 57:2,6 60:22 65:17 84:17 85:5 92:17 93:14 95:3,16 110:21 111:6 114:11 133:16 136:8,9,18 138:20 149:1 151:2 152:1 153:20 156:8 173:19 176:2 which 9:11,14 13:9 15:10,11 18:8 23:20 55:6 73:15 75:15, 18 76:12 77:14 78:2,5 80:22 82:7 87:6 91:1 92:10 93:7,18 95:13 97:10, 17,22 100:3 105:20 111:4 120:15 131:2, 15 135:4 136:16 137:1 140:10 141:1 142:7 143:5 145:8 157:4, 16 159:5 160:18 163:8 167:17 168:3 173:6 183:11 185:8 186:4 202:18 204:10 207:5 209:16 whoever's 51:15 109:10	wholly 50:15 51:6 wide 161:8 width 138:18,19 139:18,21 140:13 171:14,16,18, 19 172:12,13, 17 will 6:9 7:12 50:20 65:14 88:14 97:4,14 100:18 114:6 129:6 130:15, 18 135:22 136:3 142:2 146:12 150:7 151:22 152:2, 3 155:6,21 156:18 157:5 172:6 175:13 178:12 190:3, 4 wind 172:3,4 window 14:11 windy 93:9 wise 143:3 with 5:16 6:7 9:3,4, 14 12:2,6 14:5,8,20 15:12 23:14, 17,18 24:1,6,
W				
W-E-E-K-S 101:12				
WAIVED 211:10	watch 34:3 35:12 55:8,11,12,18 96:5 99:3 100:3 104:15, 17 105:7,21 113:10 114:3, 5,6 186:16,18 187:2,13 200:22 water 172:7 203:18 waters 69:3,7 97:9 106:12 107:9, 13 115:1,10, 18 143:19 144:5 waterway 85:13 143:22 201:3 waterways 107:4 203:18 ways 182:9 weather 98:8 111:12 171:22 website			
want 22:3,7 33:17 42:14,21 45:1 50:19 51:8,22 53:3,6 63:14 70:10 73:14, 20 78:22 79:2 82:5 86:13 98:20 106:19 127:12 131:8 141:13 146:4, 17 148:3 149:16 159:4, 8 161:22 171:5 173:8 179:14 181:7 185:13 187:5 201:12 202:6 210:7,20 wanted 42:22 60:5 71:20 115:15, 17 146:9 147:16 149:13 172:11,20 Warlordy 205:5 warnings 71:1,8				

CAPTAIN SAMUEL STEPHENSON, J.D.**August 11, 2025**

18,22 25:5,9, 21 29:6 30:11 32:13,15,21 33:5 34:13,19 37:9 44:19 46:12,14 47:10,17,18 52:22 53:16 57:3,12,17 58:6 62:17 63:17 66:10 67:1 68:4 70:4,11,22 71:16,21 73:12 75:21 77:14 80:1 82:18,21 83:4, 21 85:13 86:22 92:15 94:13 98:19 99:19 100:2,7 101:6 102:17 103:17 116:19 117:1,4 120:20 122:1 127:19 130:22 131:7,10,11 132:11 135:9 136:1 137:6,9, 13 138:6 140:5 143:17 144:2,22 148:5,10,12 149:7 151:6 155:20 157:4, 16,18 161:15 168:5,8,13 176:16 179:20 183:22 185:9 186:8,11,14, 17 189:12 190:20 194:2, 3,12 195:15 196:6 199:5	200:10,20 201:3 202:8, 19 205:1,11 207:2 208:14, 18 within 61:2,9 98:1 173:14 189:16 200:16 without 8:14 9:17 14:18 79:8 122:18 142:19 witness 5:3 6:6,10,15, 17 19:13 32:21 38:1 42:17 43:15, 22 45:18 50:2, 19 52:7,17,18, 20 54:4 63:18 64:4 79:17 80:5,9 81:3,21 83:8 90:13 94:11 104:6 118:19 119:21 122:19,22 123:4 129:10 130:3 151:12, 19 175:7,9 177:3 179:9 196:18 197:1 witnessed 148:6 197:4 witnesses 40:13 50:15 51:4,20 128:10 won't 8:6 94:22 133:4	word 76:5 83:17 words 69:13 work 10:22 11:1,2, 4,5,6,11,17 26:15,22 27:1 98:1 109:15 168:7,9,12 169:5,9,10 183:22 200:20 worked 9:1 12:14 168:5 working 11:8,9 26:16 48:5 161:10 186:17 190:6 works 125:19 182:10 worth 140:11 141:2 would 5:15 13:2 17:15 23:7 26:7,14 28:12, 13 30:10 32:22 34:19 35:1,11,15 39:18 40:14 44:21 53:22 56:7 57:21 58:6 59:3 61:11,19 62:5 65:15 66:1,6, 22 67:14,16 68:14 70:8,22 72:20 74:14 76:16 78:12, 22 79:7 80:4	81:6 87:19 88:21 89:3,15 90:20 91:9 97:20 98:10 99:2,12,13,15, 22 100:2,3,12 102:17 105:4 106:21 107:9, 12,17 108:13 111:4 112:5, 16 114:1,7,21 115:7,21 116:3,10 118:17 126:22 131:15,17 135:18 136:14,16 138:5 139:8 140:16,18 143:17 144:2 145:15 148:12 150:18,22 154:4,8 158:1 161:10,22 162:1,21 163:18,19 164:19,20 165:4 166:4 170:6 171:14, 19,20 173:14 174:1 175:17 178:21 185:1 192:15 197:12 201:16 wouldn't 20:20 35:10 56:9 146:3 183:1 write 154:1 written 27:2 80:16	154:3 209:14 wrong 74:11 101:17 118:2 wrote 27:14 28:1 196:3 <hr/> Y <hr/> yacht 163:22 yachts 69:6 140:10 141:1 161:10, 11,14 163:14, 18 191:10 year 10:12,15,17 169:11,12 years 10:14,18 11:18 21:3 109:21 114:1 160:15,17,19 168:20 170:3 191:5 195:6 yell 130:14 yellow 88:15,16 89:6, 7,9,20,22 91:1 135:9 York 191:11 202:2 204:12 you're 8:2,3,8 11:8,9 17:5 20:22 28:20 31:5,8,
--	---	---	---	--

CAPTAIN SAMUEL STEPHENSON, J.D.

August 11, 2025

21 35:11 39:13 48:16, 21 53:4,5 55:14,21 58:12 61:14, 21 63:9 83:8, 13 90:12 91:8 96:5 97:1,16 100:15 105:2, 4 107:20 111:15 112:10 114:4 118:22 119:6 120:5 122:21 123:2, 4 125:16,21 126:15 127:14 128:6 129:12 133:1 138:13 141:4,21 142:11 145:20 151:6,11,18 155:4 156:19 161:9 162:5, 22 164:1,3,11 167:5 169:2 172:4,8 175:20 177:4, 9 178:1 182:16 195:15	125:5 132:3 143:15 167:17 176:13 195:6, 10 197:8 206:2 yourself 5:16 18:16,19, 22 19:3,9,12, 17 <hr/> Z <hr/> Zachary 6:1	
you've 7:14,18 10:10 11:15,17 14:16 15:3,4, 9,13 17:18,20 19:16 20:9,14 23:2,8,9 44:15 57:2 60:15 81:8 85:10 88:10 90:14 108:7 110:13, 15 122:9 123:16,22 124:9,15		